

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

FORTY-FOURTH DAY'S PROCEEDINGS

**Twenty-Ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, June 18, 2003

The Senate was called to order at 1:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Rev. John Helms, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Appointment of Conference Committee
on House Bill No. 1154**

The President of the Senate appointed on the Conference Committee on House Bill No. 1154 the following members of the Senate: Senators Heitmeier, Barham and Lentini.

**Appointment of Conference Committee
on House Bill No. 1448**

The President of the Senate appointed on the Conference Committee on House Bill No. 1448 the following members of the Senate: Senators Schedler, Tarver and Cravins.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 646—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 38:2211(A)(6) and 2212(D)(1), relative to public contracts; to provide for an exception to the formal bid process in the event of an extreme public emergency; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 607—
BY SENATORS HOLDEN, IRONS AND MOUNT
AN ACT

To enact Chapter 20-H of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3050.1 through 3050.4, relative to establishment of the Grant Opportunity for Youth ChalleNGe Skill Training; to establish a program of tuition assistance for skill and occupational training at a public postsecondary institution for students who graduate from the Louisiana National Guard's Youth ChalleNGe Program and earn a general education diploma; to provide for program eligibility and award limits; to provide continuation requirements for continued payments; to provide for administration of the program; to provide for funding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 929—
BY SENATOR HAINKEL
AN ACT

To enact Part XV of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4780 through 4785, relative to boats and boating; to provide with respect to the "Marina and Boatyard Storage Act"; to provide definitions; to provide with respect to the creation of a privilege on movable property stored in marinas and boatyards for the payment of rent due and other charges; to provide for exclusions; to provide with respect to notice of privilege; to provide for the enforcement of the privilege by sale or other disposition; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 382—BY SENATORS SCHEDLER AND BAOJIE
AN ACT

To enact Chapter 8-A of Title 46 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:978 and 979, relative to health care for the low-income uninsured; to provide for expanding coverage to certain low-income uninsured through Medicaid program waivers; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 949—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact Civil Code Arts. 573 and 1514, to enact R.S. 9:1202, and to repeal Code of Civil Procedure Art. 3154.1, relative to security for a surviving spouse; to provide for forms of security for legal usufruct of a surviving spouse; to provide for dispensation of security of a surviving spouse; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 688—

BY SENATOR ULLO

AN ACT

To enact R.S. 38:2211(A)(13) and 2212(A)(1)(f), relative to public contracts; to provide for the acceptance of bids via electronic medium; to authorize political subdivisions to accept bids for public works via certain secure electronic interactive environment; to provide for definitions; to provide for exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 227—

BY SENATOR HOLLIS

AN ACT

To enact R.S. 42:851(A)(7), relative to group insurance; to prohibit the state from increasing an employees portion of the total insurance premium to cover deficits; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 318—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact Children's Code Arts. 1186(A) and 1190(B) and (C), relative to confidentiality of adoption records; to provide for notice to the custodian of certain adoption records prior to an adoption records hearing; to provide for fifteen days notice prior to hearing; to provide for an exception; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 133—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 38:2251(K) and R.S. 39:1595(J), relative to public contracts; to provide for preferences for certain clay products; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 705—

BY SENATOR SCHEDLER

AN ACT

To enact Code of Civil Procedure Art. 1422.1, relative to discovery; to provide that certain records maintained by the Louisiana Bureau of Criminal Identification and Information are privileged

and not subject to discovery in civil proceedings; to provide for the definition of "records"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 583—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 2:654(B) and 654(C), (F), (H)(3), and (J), and to enact R.S. 2:654(B)(14) and (15), relative to the Louisiana Airport Authority; to provide for representation from certain parishes on the board of commissioners; to provide for the term of office of each new member; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 255—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Art. 2031, relative to revival of judgments; to provide for the revival of money judgments by ex parte motion; to remove the requirement of serving the judgment debtor; to provide that notice of signing of the judgment of revival be sent to the debtor; to provide for attorney's fees; to provide for annulment of a judgment revived by fraud or in error; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 314—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 39:198(D)(3), relative to contracts for fiscal intermediary services in processing claims of health care providers; to provide for modification of the initial term of fiscal intermediary contracts; to provide for the option to extend a fiscal intermediary contract for successive twelve-month terms; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 21—

BY SENATOR CAIN AND REPRESENTATIVE ILES

AN ACT

To amend and reenact R.S. 47:302.5, 322.19, and 332.3, relative to the Vernon Parish Community Improvement Fund; to provide for the appropriation, administration, distribution, and use of money in the fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 666—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 22:2002(3) and (6) and to enact R.S. 22:2004.2 and 3018.1, relative to health insurance; to require coverage for low protein food products to treat certain diseases by certain health organizations and self-insured entities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 623—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 24:772(A), relative to reports to the legislature; to require that e-mail notification of reports be sent to members of the legislature; to require agencies to offer publications in an electronic format; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 823—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 25:341(A), 342(A)(8) and (B)(3)(c), and R.S. 36:209(W), and to enact R.S. 25:342(B)(3)(d), (e), (f), (g), (h), and (i), and 352 and 353, relative to the Department of Culture, Recreation and Tourism; to provide for museums placed within the office of the state museum; to establish the Louisiana Political Museum and Hall of Fame, the Louisiana Forestry Museum, and the Winn Parish Museum as museums of local interest; to provide for the transfer of such museums of local interest and the Louisiana Sports Hall of Fame to the office of the state museum; to provide for certain revenues; to provide for certain personnel; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 819—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1201(F)(introductory paragraph) and to enact R.S. 23:1201(I) and (J) and to repeal R.S. 23:1121(C) and 1201.2, relative to workers' compensation; to provide for the payment of medical benefits; to require certain documentation of medical treatment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 596—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:352(C), relative to court of appeal clerks; to provide for reimbursement to judges of the courts of appeal for expenses incurred while on official duty; to provide that such reimbursement be payable out of self-generated funds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 663—

BY SENATOR HEITMEIER AND REPRESENTATIVES MONTGOMERY AND SCALISE

AN ACT

To enact R.S. 27:3(24), relative to the Louisiana Gaming Control Law; to provide for a definition of a "Louisiana business", "Louisiana company", or "Louisiana corporation"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 821—

BY SENATORS SCHEDLER AND THOMAS

AN ACT

To amend and reenact R.S. 33:130.401(A), 130.402(A)(1) and (F), 130.403(10), 130.404(A)(1), (B)(1),(2) and (3) and 130.406(B)(2), to enact R.S. 33:130.403 (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), and 130.404 (C), (D), and (E), and to rename Subpart B-17 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, all relative to the St. Tammany Parish Economic and Industrial Development District; to provide for the name of the district, its powers, and purpose; to clarify its membership requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 211—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 24:802(E), relative to the Louisiana Commission on Intergovernmental Relations; to authorize and provide for the establishment of an executive committee of the commission; to provide for its functions and duties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 408—

BY SENATOR GAUTREAUX

AN ACT

To enact R.S. 22:215.24, relative to health insurance; to provide hearing aid coverage for minor children; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 76—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:1448(K), relative to public officers; to provide with respect to sheriffs; to provide for group insurance for sheriffs and deputy sheriffs; to require the sheriff of LaSalle Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 418—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:2402(4) and 2405(F); relative to Peace Officer Standards and Training Law; to provide with respect to peace officer training requirements; to provide for reimbursement of peace officer training by the peace officer; to provide for definitions; to provide for time and cost limitations on reimbursement after satisfactory completion of training; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 315—

BY SENATOR SCHEDLER

AN ACT

To enact Part III of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1331 through 1344, relative to the practice of perfusion; to provide for the licensure of qualified medical technicians to practice perfusion; to provide definitions; to create the Advisory Committee on Perfusion and provide for its membership and duties; to provide for fees; to provide for penalties; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 518—

BY SENATOR C. JONES

AN ACT

To enact R.S. 15:827.1, relative to criminal procedure; to create the reentry preparation program within the Department of Public Safety and Corrections; to require certain personnel at state correctional facilities; to provide for duties of such personnel; to require participation of certain offenders in the reentry preparation program; to require certain instruction areas in such program; to authorize the assistance of public or private organizations for the delivery of such program; to provide relative to distance instruction; to require the promulgation of rules and guidelines; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 866—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3003(B)(1), relative to the State Board of Medical Examiners and occupational therapists; to provide for direct access to the services of occupational therapists; to eliminate the necessity for a referral to occupational therapy services; to increase the categories of medical professionals who can refer to occupational therapists; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 781—
BY SENATOR BOISSIERE

AN ACT

To enact Part IV of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4159.10, relative to sewage and water disposal; to prohibit privatization of public sewage disposal or treatment facilities in municipalities having a population in excess of four hundred and seventy-five thousand, according to the most recent federal decennial census, unless specifically authorized by the legislature; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 926—
BY SENATOR ADLEY

AN ACT

To enact R.S. 42:7.3, relative to meetings of public bodies; to provide a procedure for the presentation and consideration of an offer to sell natural gas to a public body for use in its gas distribution system sales to retail customers for a certain term, or to assume the operation or acquire the ownership of, a gas utility owned or operated by a public body; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 684—
BY SENATOR ULLO

AN ACT

To enact R.S. 28:53.2(F), relative to civil immunity; to exempt a coroner, his support staff and law enforcement officers from civil liability for forceful entry to secure protective custody; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 354—
BY SENATORS MCPHERSON AND CAIN

AN ACT

To enact R.S. 9:2795.1(A)(6)(d) and 2795.3, relative to limitations on liability; to provide for definitions; to provide for immunity from liability for an equine activity sponsor, an equine professional, or other person for injuries or death; to provide for exceptions; to require warning signs; to provide for failure to comply with the warning requirement; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1018—
BY SENATOR B. JONES

AN ACT

To enact R.S. 33:2740.55, relative to municipalities and parishes; to provide for the creation, composition and powers of a downtown development district in the city of Ruston; to provide for the preparation of plans, levy of special ad valorem taxes, and

issuance of bonds and other instruments of indebtedness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 842—

BY SENATOR MCPHERSON AND REPRESENTATIVES CURTIS, DEWITT AND FARRAR

AN ACT

To enact Code of Civil Procedure Art. 4843(J) and 4850.1, relative to city court jurisdiction; to provide for an increase in the jurisdictional amount for the Alexandria City Court; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 685—
BY SENATOR ULLO

AN ACT

To enact R.S. 33:1563(L), relative to civil immunity; to provide for civil immunity for coroner and supporting staff while in the performance of their duties; to require persons or entities alleging improper conduct to show by clear and convincing evidence and proof of conduct which is without rational basis; to provide standards for civil action; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 868—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:9072(D)(1)(a) and (c) and (2), relative to the Lake Forest Estates Improvement District; to provide for a majority approval of any fees or taxes imposed within the district; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 890—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 3:264(C), R.S. 8:61(B) and 675(F), R.S. 15:1155(D), R.S. 18:23(A)(7), R.S. 22:1401(A), R.S. 29:253(A)(2), R.S. 30:121(A), R.S. 33:2006(A), R.S. 34:1702(A), 3104(B)(3) and 3263(B), R.S. 38:2555 and the introductory paragraph of 3074(A), R.S. 40:600.4(A)(4), 1841(C)(1) and 2451(C), R.S. 48:101(A) and 1092.1, R.S. 49:215(E), R.S. 51:924(A), and R.S. 56:1761(B), relative to confirmation; to remove the Senate reconfirmation required for certain boards and commissions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1033—
BY SENATOR B. JONES

AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13 and Chapter 5-J of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.71 through 380.76, and R.S. 36:744(U) and 801.14, relative to museums; to establish certain museums; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; to provide for the transfer of such museum to the Department of State; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 869—

BY SENATOR JOHNSON AND REPRESENTATIVE LANDRIEU
AN ACT

To amend and reenact R.S. 40:1261(B) and (D), relative to smoking in the Louisiana Superdome; to prohibit smoking in all areas of the Louisiana Superdome; to provide sanctions for violators; to provide for the promulgation of rules; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 972—

BY SENATORS BOISSIERE, BAJOE, HAINKEL AND IRONS AND REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 33:1243(B)(2), relative to maximum penalties; to provide with respect to the maximum penalties that can be imposed by ordinance in certain parishes; to provide with respect to dumping of trash and other substances; to provide with respect to such substances; to provide with respect to places where dumping may be so penalized; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1056—

BY SENATOR HOYT

AN ACT

To amend and reenact the introductory paragraph of R.S. 33:130.562(A)(1), and to enact R.S. 33:130.562(A)(1)(d) and (e), relative to the Vermilion Parish Economic Development District; to provide for additional members to the Vermilion Parish Economic Development District board of commissioners; to provide for appointment of members; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 870—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:9073.1(B) and (E), relative to the Huntington Park Subdivision Improvement District; to clarify the boundaries of the district; to provide for a majority approval by the electors of the district of any fees or taxes imposed within the district; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1005—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 33:135.3, relative to the powers and duties of regional planning commissions; to provide for additional powers and duties for certain commissions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 797—

BY SENATORS BAJOE, BARHAM, DEAN, ELLINGTON, FIELDS, MICHOT, ROMERO, SCHEDLER AND SMITH

AN ACT

To enact Children's Code Art. 603.1, relative to abuse of children; to provide for mandatory reporters; to provide for certain educational requirements for teacher certification; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 120—

BY SENATOR LENTINI AND REPRESENTATIVES ANSARDI AND DAMICO

AN ACT

To amend and reenact R.S. 38:2216(L), relative to public contracts; to provide for circumstances in which a contractor must reimburse a design professional for additional costs for inspections of the contracted project; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 151—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 13:5108.1(E)(1)(c) and (3)(b) relative to justices of the peace and constables; to provide that justices of the peace and certain constables be indemnified by the state against certain claims or demands seeking damages; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 359—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 39:1572(B)(4) and to enact R.S. 39:1572(B)(7), relative to central purchasing; to exempt the Louisiana Community and Technical College System from the requirement to conduct procurement through the central purchasing agency; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 947—

BY SENATOR SMITH

AN ACT

To enact R.S. 9:275.5, relative to covenant marriage; to provide for limitation of liability for a pastoral counselor; to provide for an exception; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 338—

BY SENATOR CRAVINS

AN ACT

To repeal Act No. 35 of the Second Legislature of the Second Session of 1855, Act No. 225 of the Third Legislature of the Second Session of 1857, and Act No. 52 of the Second Session of the Second Legislature of 1867, relative to the town of Grand Coteau; to abolish the legislative charter of the town; to provide that the town shall be subject to the provisions of the Lawrason Act; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 323—

BY SENATORS LENTINI, BOISSIERE, CAIN, DARDENNE, ELLINGTON, HEITMEIER, HOLLIS AND SCHEDLER AND ULLO

AN ACT

To amend and reenact R.S. 48:279, relative to highways; to provide relative to non-peak hours construction and maintenance work on limited access highways; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 505—

BY SENATOR DARDENNE AND REPRESENTATIVE LEBLANC

AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(h), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law;

to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 969—
BY SENATOR BOISSIERE

AN ACT

To repeal Section 3 of Act 734 of the 1999 Regular Session, relative to written motions; to provide with respect to special motion to strike; to remove certain reporting duties of the Judicial Council relative thereto; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 147—
BY SENATOR SMITH AND REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to forestry products; to provide an exception for treated wood poles and piling from preferences for products produced or manufactured in Louisiana; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 349—
BY SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 49:308(E)(2)(d) and (e), relative to the deposit of state funds; to exempt the Board of Supervisors of Community and Technical Colleges and its institutions from the requirement of depositing all funds into the state treasury; to make technical changes relative to certain exempt postsecondary entities; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

HOUSE CONFEREES APPOINTED

June 17, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 1039 by Senator Lentini:

Representatives Doerge, Townsend and Toomy.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 334 by Representative Pinac:

Representatives Pinac, Gary Smith and Doerge.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1091 by Representative Fauchaux:

Representatives Fauchaux, Toomy and R. Carter.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1147 by Representative Durand:

Representatives Durand, Iles and Pinac.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members,

on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 557 by Representative Pierre:

Representatives Pierre, Jack Smith and Daniel.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1448 by Representative Hebert:

Representatives Hebert, Erdey and Bowler.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 631 by Representative Curtis:

Representatives Curtis, Broome and Hunter.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1437 by Representative Hebert:

Representatives Hebert, Fruge and Capella.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 206 by Representative Montgomery:

Representatives Montgomery, Johns and L. Jackson.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Resolutions, Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 89—

BY SENATOR MARIONNEAUX

A RESOLUTION

To commend Lt. Col. David Couvillion on being named military governor of the Wasit Province in Iraq.

On motion of Senator Fields, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 90—

BY SENATOR HOYT

A RESOLUTION

To memorialize the Congress of the United States to provide for the adequate and immediate protection, stabilization, and maintenance of the Gulf Intracoastal Waterway canal banks in southwest Louisiana.

On motion of Senator Hoyt, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 91—

BY SENATOR HOYT

A RESOLUTION

To memorialize the Congress of the United States to provide for adequate and immediate protection, stabilization, and maintenance of the Intracoastal Waterway canal banks in Southwest Louisiana.

On motion of Senator Hoyt, the resolution was read by title and withdrawn from the files of the Senate.

SENATE RESOLUTION NO. 92—

BY SENATOR MALONE

A RESOLUTION

To urge and request the Louisiana State Law Institute and the Mineral Law Institute to study the prescription of nonuse of mineral rights held by certain charitable and nonprofit corporations.

On motion of Senator Malone, the resolution was read by title and adopted.

Page 8 SENATE

June 18, 2003

44th DAY'S PROCEEDINGS

SENATE RESOLUTION NO. 93—

BY SENATOR MALONE

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Mary Edna Adams Brossette.

On motion of Senator Malone, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 144—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Health and Hospitals and the commissioner of administration to begin construction of a new central laboratory for the office of public health in New Orleans at the University of New Orleans Research and Technology Park, such laboratory having the capacity to be designated as a Level 3 laboratory by the Centers for Disease Control, in order to protect the public health and to enable the state to test and analyze emerging biological and chemical agents.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 253—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to develop specific guidelines relative to public entity certification of Medicaid reimbursable expenditures.

HOUSE CONCURRENT RESOLUTION NO. 254—

BY REPRESENTATIVE MORRISH

A CONCURRENT RESOLUTION

To commend Doug Daigle upon thirty-two years of public service on the police jury of Jefferson Davis Parish.

HOUSE CONCURRENT RESOLUTION NO. 255—

BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To commend the Louisiana State University Lady Tigers upon winning the National Collegiate Athletic Association Women's Track and Field Championship.

HOUSE CONCURRENT RESOLUTION NO. 256—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to develop and implement incentives for major air emission sources, particularly natural gas-fired compressor stations, to reduce pollution.

HOUSE CONCURRENT RESOLUTION NO. 257—

BY REPRESENTATIVES THOMPSON, BAUDOUIN, BRUCE, DEVILLIER, AND ILES

A CONCURRENT RESOLUTION

To urge and request the United States Department of Agriculture (USDA) to include Louisiana schools and farmers in its Farm-to-School Program.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 253—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to develop specific guidelines relative to public entity certification of Medicaid reimbursable expenditures.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 254—

BY REPRESENTATIVE MORRISH

A CONCURRENT RESOLUTION

To commend Doug Daigle upon thirty-two years of public service on the police jury of Jefferson Davis Parish.

The resolution was read by title. Senator Theunissen moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Smith
Chaisson	Hoyt	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Cravins	Jones, CD	Ullo
Hollis	Lentini	
Irons	Schedler	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 255—

BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To commend the Louisiana State University Lady Tigers upon winning the National Collegiate Athletic Association Women's Track and Field Championship.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Smith
Chaisson	Hoyt	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Lambert	
Ellington	Malone	
Total—31		

NAYS

Total—0

ABSENT

Adley	Irons	Schedler
Cravins	Jones, CD	Ullo
Hollis	Lentini	
Total—8		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 256—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to develop and implement incentives for major air emission sources, particularly natural gas-fired compressor stations, to reduce pollution.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Environmental Quality.

HOUSE CONCURRENT RESOLUTION NO. 257—

BY REPRESENTATIVES THOMPSON, BAUDOUIN, BRUCE, DEVILLIER, AND ILES

A CONCURRENT RESOLUTION

To urge and request the United States Department of Agriculture (USDA) to include Louisiana schools and farmers in its Farm-to-School Program.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Romero, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

June 18, 2003

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 103—

BY SENATOR HOYT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide for adequate and immediate protection, stabilization, and maintenance of the Intracoastal Waterway canal banks in Southwest Louisiana.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 123—

BY SENATOR HOYT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide for the adequate and immediate protection, stabilization, and maintenance of the Gulf Intracoastal Waterway canal banks in southwest Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To direct the Louisiana Oyster Task Force to form a committee to examine issues related to the future of the development of the oyster industry in Louisiana and to report its recommendations to the legislature.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 248—

BY REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To memorialize the U.S. Congress and the President to recognize that the state of Louisiana is committed, and that they commit themselves, to a program to secure a functional and sustainable "America's WETLAND" in the coastal zone of Louisiana and to work in partnership with the state to achieve that goal.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 251—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to either execute surface leases with St. John the Baptist Parish providing for use of improved property within the Maurepas Wildlife Management Area by the persons who made such improvements or to exchange the improved property with St. John the Baptist Parish for equivalent property located near the wildlife management area.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 252—

BY REPRESENTATIVE BAUDOUIN

A CONCURRENT RESOLUTION

To memorialize the United States Army Corp of Engineers to examine water level and water quality issues in the Atchafalaya Basin.

Reported favorably.

HOUSE BILL NO. 558—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 56:434.1, relative to public oyster seed grounds; to create the Public Oyster Seed Ground Development Account; to provide for revenues and expenditures; to provide for administration of the account; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1116—

BY REPRESENTATIVE LANDRIEU

AN ACT

To enact R.S. 49:214.16, relative to coastal restoration; to establish the America's WETLAND Way across coastal Louisiana; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 56:326.5, relative to taking of bowfin; to provide for a minimum size for taking of bowfin; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2003 (Substitute for House Bill No. 396 by Representative Baldone)—

BY REPRESENTATIVES BALDONE, ODINET, AND JACK SMITH AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:325.3(A)(1) and (C), relative to commercial fishing; to provide for open season, quotas, and allowable gear for the taking of spotted sea trout; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 17, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE RESOLUTION NO. 67—

BY SENATOR CAIN

A RESOLUTION

To establish a task force to advise the Department of Social Services on the preparation of a handbook on marriage and fragile families.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To provide with respect to the promotion and strengthening of marriages.

Reported favorably.

HOUSE BILL NO. 19—

BY REPRESENTATIVE FRITH

A JOINT RESOLUTION

Proposing to amend Article V, Section 23(B) of the Constitution of Louisiana, to authorize a judge who reaches the mandatory retirement age of seventy prior to finishing his term of office to complete that current term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 65—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Civil Code Article 2628, relative to immovable property; to provide for the reduction of terms for options and rights of first refusal exceeding ten years; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 662—

BY REPRESENTATIVES BRUNEAU AND HUNTER

A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges of the supreme court, courts of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 664—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 13:3049(B)(1)(b) and (2)(a) and to enact R.S. 13:3049(B)(1)(e), relative to jury service in criminal and civil trials; to increase the daily compensation for serving on a jury; to increase the jury filing fees in civil cases to the clerk of court; to increase the amount deposited into the registry of the court; to provide for an additional fee in criminal cases; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1387—

BY REPRESENTATIVE LANCASTER

AN ACT

To enact R.S. 49:964.1 and 992(H), relative to judicial review of adjudications; to provide for the payment of attorney fees and court costs; to provide for a report of such payments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1733—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2277(3) and to enact R.S. 30:2272(10), (11), and (12) and 2277(5), relative to liability for hazardous substance remedial action; to provide relative to such liability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1810—

BY REPRESENTATIVES BEARD AND SHAW AND SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 40:1299.36, 1299.36.1, and 1299.36.2 and to repeal Section 3 of Act No. 788 of the 1999 Regular Session of the Legislature, relative to human cloning; to prohibit human cloning; to provide for definitions; to provide for exceptions; to provide for criminal penalties; to repeal the termination date of provisions that prohibit human cloning; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1931—

BY REPRESENTATIVES CAZAYOUX, JOHNS, AND WALSWORTH
AN ACT

To enact R.S. 9:5605.1, relative to attorneys; to provide for the theft of client funds; to provide for the recovery of client funds; to provide for prescription; to provide for the admissibility of certain evidence; to provide for the award of attorney fees; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

EDUCATION

Senator Theunissen, Chairman on behalf of the Committee on Education, submitted the following report:

June 18, 2003

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

HOUSE BILL NO. 1075—

BY REPRESENTATIVES BROOME, MORRELL, AND MURRAY
AN ACT

To enact R.S. 17:421.9, relative to public school social workers; to provide a salary supplement for certain public school social workers who have acquired certification by the National Association of Social Workers; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1157—

BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 17:3997(F), relative to the Northwood Preparatory High School, to provide for duties of the State Board of Elementary and Secondary Education regarding the development, and administration of a claims process for former employees of the Northwood Preparatory High School to receive unpaid wages and benefits; to authorize and provide for the payment of certain claims; from certain monies provided to the Tangipahoa Parish School Board pursuant to cooperative endeavor with the state which monies may be used for payment of claims under certain circumstances; to provide for conditions for effectiveness; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1317—

BY REPRESENTATIVE BROOME
AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American Speech-Language Hearing Association; to provide conditions and guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1657—

BY REPRESENTATIVES HONEY, CURTIS, HUDSON, AND MORRELL
AND SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(introductory paragraph) and (xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide applicability; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1858—

BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH
AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to each employee; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Adley asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 19—

BY REPRESENTATIVE FRITH
A JOINT RESOLUTION

Proposing to amend Article V, Section 23(B) of the Constitution of Louisiana, to authorize a judge who reaches the mandatory retirement age of seventy prior to finishing his term of office to complete that current term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 19 by Representative Frith

AMENDMENT NO. 1

On page 2, lines 2 and 12, change "2005" to "2004"

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 65—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Civil Code Article 2628, relative to immovable property; to provide for the reduction of terms for options and rights of first refusal exceeding ten years; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 558—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 56:434.1, relative to public oyster seed grounds; to create the Public Oyster Seed Ground Development Account; to provide for revenues and expenditures; to provide for administration of the account; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 662—

BY REPRESENTATIVES BRUNEAU AND HUNTER

A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges of the supreme court, courts of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 664—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 13:3049(B)(1)(b) and (2)(a) and to enact R.S. 13:3049(B)(1)(e), relative to jury service in criminal and civil trials; to increase the daily compensation for serving on a jury; to increase the jury filing fees in civil cases to the clerk of court; to increase the amount deposited into the registry of the court; to provide for an additional fee in criminal cases; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 664 by Representative Cazayoux

AMENDMENT NO. 1

On page 2, delete lines 4 through 18 in their entirety and insert the following:

"(e)(i) The compensation of jurors in criminal matters provided for by this Subsection shall be paid from costs of court collected from every criminal defendant who is convicted after trial or who pleads guilty or no contest, or who forfeits bond in each district or parish court or in any court exercising juvenile jurisdiction, which shall be assessed as a part of the costs of court to be collected in such cases. The judge or judges for the judicial district wherein the parish, or city

of New Orleans is situated shall adopt a schedule of costs that shall be applicable in each criminal case before that court to which such costs are applicable. All of such costs shall be placed, as they are collected, in a special fund that shall be maintained and be administered by the governing authority and the governing authority shall pay out of said fund the compensation for jurors in criminal matters herein provided for.

(ii) The judge or judges shall, as the needs of the special fund require, adjust the schedule of costs to insure that the proceeds are adequate to fully pay the juror compensation herein provided."

AMENDMENT NO. 2

On page 3, delete lines 1 through 4 in their entirety and delete lines 5 through 7 in their entirety and insert "the amount ordered by the court pursuant to Code of Civil Procedure Art. 1734.1. In all civil cases in which a civil jury trial is requested, a deposit at the time of the request shall be made in the sum of three hundred thirty-six dollars which deposit shall be applied to court costs in the case for which the request for jury trial was made. No such trial shall"

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1075—

BY REPRESENTATIVES BROOME, MORRELL, AND MURRAY

AN ACT

To enact R.S. 17:421.9, relative to public school social workers; to provide a salary supplement for certain public school social workers who have acquired certification by the National Association of Social Workers; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1075 by Representative Broome

AMENDMENT NO. 1

On page 2, line 6, after "salary" insert "provided the amount for such supplement has been appropriated to the state Department of Education for reimbursement pursuant to Subsection C of this Section"

On motion of Senator Theunissen the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1116—

BY REPRESENTATIVE LANDRIEU

AN ACT

To enact R.S. 49:214.16, relative to coastal restoration; to establish the America's WETLAND Way across coastal Louisiana; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1116 by Representative Landrieu

AMENDMENT NO. 1

On page 1, line 3, change "Way" to "Trail"

AMENDMENT NO. 2

On page 1, line 7, change "Way" to "Trail"

AMENDMENT NO. 3

On page 1, line 8, change "Way" to "Trail"

AMENDMENT NO. 4

On page 1, line 10, change "Way" to "Trail"

AMENDMENT NO. 5

On page 2, line 2, change "way" to "trail"

AMENDMENT NO. 6

On page 2, line 4, change "way" to "trail"

On motion of Senator Romero, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1157—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 17:3997(F), relative to the Northwood Preparatory High School, to provide for duties of the State Board of Elementary and Secondary Education regarding the development, and administration of a claims process for former employees of the Northwood Preparatory High School to receive unpaid wages and benefits; to authorize and provide for the payment of certain claims; from certain monies provided to the Tangipahoa Parish School Board pursuant to cooperative endeavor with the state which monies may be used for payment of claims under certain circumstances; to provide for conditions for effectiveness; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1157 by Representative Powell

AMENDMENT NO. 1

On page 1, line 7, after "claims" delete the semicolon ";"

AMENDMENT NO. 2

On page 2, line 7, after "this" change "Act" to "Subsection"

On motion of Senator Theunissen, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 56:326.5, relative to taking of bowfin; to provide for a minimum size for taking of bowfin; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1317—

BY REPRESENTATIVE BROOME

AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American

Speech-Language Hearing Association; to provide conditions and guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1317 by Representative Broome

AMENDMENT NO. 1

On page 2, line 9, after "salary" insert "provided the amount for such supplement has been appropriated to the state Department of Education for reimbursement pursuant to Subsection C of this Section"

On motion of Senator Theunissen the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1387—

BY REPRESENTATIVE LANCASTER

AN ACT

To enact R.S. 49:964.1 and 992(H), relative to judicial review of adjudications; to provide for the payment of attorney fees and court costs; to provide for a report of such payments; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1657—

BY REPRESENTATIVES HONEY, CURTIS, HUDSON, AND MORRELL AND SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(introductory paragraph) and (xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide applicability; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1733—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2277(3) and to enact R.S. 30:2272(10), (11), and (12) and 2277(5), relative to liability for hazardous substance remedial action; to provide relative to such liability; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1810—

BY REPRESENTATIVES BEARD AND SHAW AND SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 40:1299.36, 1299.36.1, and 1299.36.2 and to repeal Section 3 of Act No. 788 of the 1999 Regular Session of the Legislature, relative to human cloning; to prohibit human cloning; to provide for definitions; to provide for exceptions; to provide for criminal penalties; to repeal the termination date of provisions that prohibit human cloning; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1810 by Representative Beard

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 40:1299.36, 1299.36.1, and 1299.36.2" to "R.S. 40:1299.36.2(C) and (D), to enact R.S. 40:1299.36.2(E) and 1299.36.7"

AMENDMENT NO. 2

On page 1, delete line 5, and insert "provide for an expiration date;" and on line 6, delete "criminal penalties;"

AMENDMENT NO. 3

On page 1, line 9, after "Section 1." delete the remainder of the line, delete line 10 and insert the following:

"R.S. 40:1299.36.2(C) and (D) are hereby amended and reenacted and R.S. 40:1299.36.2(E) and 1299.36.7 are hereby enacted to read as follows:

§1299.36.2. Cloning of human beings; purchase or sale of ovum, zygote, embryo, or fetus for the purpose of cloning human beings, prohibited

* * *

C. No person shall implant or attempt to implant the product of human somatic cell nuclear transfer into the uterus, be it human, animal or artificial.

ED. This Section does not prohibit scientific research or a cell based therapy not specifically prohibited elsewhere by this Part.

DE. Whoever violates this Section shall be fined not more than ten million dollars or imprisoned, with or without hard labor, for not more than ten years, or both.

* * *

§1299.36.7 Term

The provisions of this Part shall be effective until July, 1, 2006 and shall be null and void thereafter."

AMENDMENT NO. 4

On page 1, delete lines 11 through 17

AMENDMENT NO. 5

On page 2, delete lines 1 through 26

AMENDMENT NO. 6

On page 3, delete lines 1 through 26

AMENDMENT NO. 7

On page 4, delete lines 1 through 25

AMENDMENT NO. 8

On page 5, delete lines 1 through 14

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1858—

BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH
AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to each employee; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1931—

BY REPRESENTATIVES CAZAYOUX, JOHNS, AND WALSWORTH

AN ACT

To enact R.S. 9:5605.1, relative to attorneys; to provide for the theft of client funds; to provide for the recovery of client funds; to provide for prescription; to provide for the admissibility of certain evidence; to provide for the award of attorney fees; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2003 (Substitute for House Bill No. 396 by Representative Baldone)—

BY REPRESENTATIVES BALDONE, ODINET, AND JACK SMITH AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:325.3(A)(1) and (C), relative to commercial fishing; to provide for open season, quotas, and allowable gear for the taking of spotted sea trout; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Ellington, pursuant to the previous notice given, the vote by which the following resolution failed to pass on Tuesday, June 17, 2003 was reconsidered.

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To recognize the Boeuf River Band of Cherokees as an Indian tribe of Louisiana.

The resolution was read by title. Senator Ellington moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Thomas
Ellington	Johnson	Ullo
Fields	Jones, CD	
Fontenot	Lambert	
Total—28		

NAYS

Bajoie	Lentini	Theunissen
Dean	Malone	
Jones, B	Michot	
Total—7		

ABSENT

Mr. President

Dupre

Adley
Total—4

Schedler

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Concurrent Resolution No. 94. He voted yea on the resolution and had intended to vote nay. He asked that the Official Journal so state.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1670—

BY REPRESENTATIVE WINSTON
AN ACT

To provide relative to the compensation of community direct service workers through the reimbursement rates paid under the state Medicaid program; to provide for the determination of the amount of the disparity between the compensation of those workers and comparable state workers; to provide for the submission and consideration of a report relative to the disparity of such compensation; and to provide for related matters.

HOUSE BILL NO. 2029 (Substitute for House Bill No. 989 by Representative Townsend) —

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 37:24, relative to health care professionals; to provide for access to certain information from health care professional licensing boards; to provide for information on adverse actions taken against health care professionals; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Ellington asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 1670—

BY REPRESENTATIVE WINSTON
AN ACT

To provide relative to the compensation of community direct service workers through the reimbursement rates paid under the state Medicaid program; to provide for the determination of the amount of the disparity between the compensation of those workers and comparable state workers; to provide for the submission and consideration of a report relative to the disparity of such compensation; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 2029 (Substitute for House Bill No. 989 by Representative Townsend) —

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 37:24, relative to health care professionals; to provide for access to certain information from health care professional licensing boards; to provide for information on adverse actions taken against health care professionals; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of advancing to the order of

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 1788—

BY REPRESENTATIVE MORRISH AND SENATOR DARDENNE
AN ACT

To enact Subpart B of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1430 through 1430.17, and to repeal R.S. 22:1406.1 through 1406.13 and 1431 through 1445, relative to residential and commercial property insurance; to provide for the Louisiana Citizens Property Insurance Corporation; to provide for the FAIR Plan; to provide for the Coastal Plan; to provide for a board of directors; to provide for the Louisiana Insurance Rating Commission; to provide for corporate powers; to provide for certain immunity; to provide for a plan of operation; to provide for assessments; to provide for charges and surcharges; to provide for participating insurers; to provide for eligibility; to provide for insurance; to provide for rates; to provide for contributions by the state; to provide for plan deficits; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1788 by Representative Morrish and Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact" and insert the following:

"amend and reenact R.S. 22:691(C), (E), and (F)(2) and to enact R.S. 22:691(H) and"

AMENDMENT NO. 2

On page 1, line 6, after "insurance;" insert the following: "to provide for the office of property and casualty relative to the standard fire insurance contract; to provide for cancellation notice; to provide for loss payable; to provide for terrorism coverage;"

AMENDMENT NO. 3

On page 2, line 2, after "Section 1." insert the following:
"R.S. 22:691(C), (E), and (F)(2) are hereby amended and reenacted and R.S. 22:691(H) and"

§691. Fire insurance contract; standard provisions; variations

* * *

C. Binders or other contracts for temporary insurance may be made, orally or in writing, and shall be deemed to include all the terms of such standard fire insurance policy and all such applicable endorsements, not disapproved by the fire insurance division office of property and casualty as may be designated in such contract of temporary insurance; except that the cancellation clause thereof specifying the hour of the day at which the insurance shall commence, may be superseded by the express terms of such contract of temporary insurance.

* * *

E.(1) Appropriate forms of other contracts or endorsements whereby the interest in the property described in such policy shall be insured against one or more of the perils which the insurer is empowered to assume, in addition to the perils covered by said standard fire insurance policy, may be approved and may, unless at any time disapproved by the fire insurance division office of property and casualty, be used in connection with a standard fire insurance policy and such forms may contain provisions and stipulations inconsistent with the standard policy if applicable only to such other perils. The first page of the policy may, in a form approved by the fire insurance division office of property and casualty, be rearranged to provide space for the listing of amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached, and such other data as may be conveniently included for duplication on daily reports for office records.

(2) Any policy or contract otherwise subject to the provisions of Subsections A and B hereof, which includes either on an unspecified basis as to the coverage or for a single premium, coverage against the peril of fire and substantial coverage against other perils need not comply with the provisions of Subsections A and B hereof, provided (1) such policy or contract shall afford coverage, with respect to the peril of fire, not less than the coverage afforded by said standard fire policy, (2) the provisions in relation to mortgagee interests and obligations in said standard fire policy may be incorporated therein without change, (3) such policy or contract is complete as to all of its terms without reference to the standard form of fire insurance policy or any other policy, and (4) the commissioner is satisfied that such policy or contract complies with the provisions hereof. The pages of the Standard Fire Insurance Policy may be renumbered and the format rearranged for convenience in the preparation of individual contracts, and to provide space for the listing of rates and premiums for coverages insured thereunder or under endorsement attached or printed thereon, and such other data as may be conveniently included for duplication on daily reports for office records.

F. The form of the standard fire insurance policy of the state of Louisiana (with permission to substitute for the word "company" a more accurate descriptive term for the type of insurer) shall be as follows:

* * *

(2) SECOND PAGE OF STANDARD FIRE POLICY

Concealment, fraud -- This entire policy shall be void if, whether before or after a loss, the insured has willfully concealed or misrepresented any material fact or circumstance concerning this

insurance or the subject thereof, or the interest of the insured therein, or in case of any fraud or false swearing by the insured relating thereto.

Uninsurable and excepted property -- This policy shall not cover accounts, bills, currency, deeds, evidence of debt, money or securities; nor, unless specifically named hereon in writing, bullion or manuscripts.

Perils not included -- This company shall not be liable for loss by fire or other perils insured against in this policy caused, directly or indirectly, by:

(a) enemy attack by armed forces, including action taken by military, naval or air forces in resisting an actual or an immediately impending enemy attack; (b) invasion; (c) insurrection; (d) rebellion; (e) revolution; (f) civil war; (g) usurped power; (h) order of any civil authority except acts of destruction at the time of and for the purpose of preventing the spread of fire, provided that such fire did not originate from any of the perils excluded by this policy; (i) neglect of the insured to use all reasonable means to save and preserve the property at and after a loss, or when the property is endangered by fire in neighboring premises; (j) nor shall this Company be liable for loss by theft.

Other insurance -- Other insurance may be prohibited or the amount of insurance may be limited by endorsement attached hereto.

Conditions suspending or restricting insurance. Unless otherwise provided in writing added hereto, this Company shall not be liable for loss occurring:

(a) While the hazard is increased by any means within the control or knowledge of the insured; or

(b) While a described building, whether intended for occupancy by owner or tenant, is vacant, or unoccupied beyond a period of sixty consecutive days; or

(c) As a result of explosion or riot, unless fire ensue, and in that event for loss by fire only.

Other perils or subjects -- Any other peril to be insured against or subject of insurance to be covered in this policy shall be by endorsement in writing hereon or added hereto.

Added provisions -- The extent of the application of insurance under this policy and of the contribution to be made by this Company in case of loss, and any other provision or agreement not inconsistent with the provisions of this policy, may be provided for in writing added hereto, but no provisions may be waived except such as by the terms of this policy is subject to change.

Waiver provisions -- No permission affecting this insurance shall exist, or waiver of any provision be valid unless granted herein or expressed in writing added hereto. No provision, stipulation, or forfeiture shall be held to be waived by any requirement or proceeding on the part of this Company relating to appraisal or to any examination provided for herein.

Cancellation of policy -- This policy shall be canceled at any time at the request of the insured, in which case this Company shall, upon demand and surrender of this policy, refund the excess of paid premium above the customary short rates for the expired time. This policy may be canceled at any time by this Company by giving to the insured a ~~twenty~~ thirty days written notice of cancellation, or ten days written notice when cancellation is for nonpayment of premium, with or without tender of the excess paid premium above the pro rata premium for the expired time which excess, if not tendered, shall be refunded on demand. Notice of cancellation shall state that said excess premium, if not tendered, will be refunded on demand. Upon the written request of the named insured, the insurer shall provide to the insured in writing the reasons for cancellation of the policy. There shall be no liability on the part of and no cause of action of any nature shall arise against any insurer or its agents, employees, or representatives for any action taken by them to provide the reasons for cancellation as required by this Paragraph.

Mortgagee interest and obligations -- If loss hereunder is made payable in whole or in part, to a designated mortgagee not named herein as the insured, such interest in this policy may be canceled by delivering or mailing to such mortgagee a ~~twenty~~ thirty days written notice of cancellation, or a ten days written notice of cancellation if cancellation is for nonpayment of premium.

If the insured fails to render proof of loss such mortgagee, upon notice, shall render proof of loss in form herein specified within sixty (60) days thereafter and shall be subject to the provisions hereof relating to appraisal and time of payment and of bringing suit. If this Company shall claim that no liability existed as to the mortgagor or owner, it shall, to the extent of payment of loss to the mortgagee, be subrogated to all the mortgagee's rights of recovery, but without impairing mortgagee's rights to sue; or it may pay off the mortgage debt and require an assignment thereof and of the mortgage. Other provisions relating to the interests and obligations of such mortgagee may be added hereto by agreement in writing.

Pro rata liability -- This Company shall not be liable for a greater proportion of any loss than the amount hereby insured shall bear to the whole insurance covering the property against the peril involved, whether collectible or not.

Requirements in case loss occurs -- The insured shall give immediate written notice to this Company of any loss, protect the property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, furnish a complete inventory of the destroyed, damaged, and undamaged property, showing in detail quantities, costs, actual cash value, and amount of loss claimed; and within sixty days after loss, unless such time is extended in writing by this Company, the insured shall render to this Company a proof of loss, signed and sworn to by the insured, stating the knowledge and belief of the insured as to the following: the time and origin of the loss, the interest of the insured and of all others in the property, the actual cash value of each item thereof and the amount of loss thereto, all encumbrances thereon, all other contracts of insurance, whether valid or not, covering any of said property, any changes in the title, use, occupation, location, possession, or exposures of said property since the issuing of this policy, by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of loss and whether or not it then stood on leased ground, and shall furnish a copy of all the descriptions and schedules in all policies and, if required, verified plans and specifications of any building, fixtures, or machinery destroyed or damaged. The insured, as often as may be reasonably required shall exhibit to any person designated by this Company all that remains of any property herein described, and submit to examinations under oath by any person named by this Company, and subscribe the same; and, as often as may be reasonably required, shall produce for examination all books of account, bills, invoices and other vouchers, or certified copies thereof if originals be lost, at such reasonable time and place as may be designated by this Company or its representatives, and shall permit extracts and copies thereof to be made.

Appraisal -- In case the insured and this Company shall fail to agree as to the actual cash value or the amount of loss, then, on the written demand of either, each shall select a competent and disinterested appraiser and notify the other of the appraiser selected within twenty days of such demand. The appraisers shall first select a competent and disinterested umpire; and failing for fifteen days to agree upon such umpire, then on request of the insured or this Company such umpire shall be selected by a judge of a court of record in the state in which the property covered is located. The appraisers shall then appraise the loss, stating separately actual cash value and loss to each item; and failing to agree, shall submit their differences, only, to the umpire. An award in writing, so itemized, of any two when filed with this Company shall determine the amount of actual cash value and loss. Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally.

Company's options -- It shall be optional with this Company to take all, or any part, of the property at the agreed or appraised value, and also to repair, rebuild, or replace the property destroyed or damaged with other of like kind and quality within a reasonable time, on giving notice of its intention so to do within thirty days after the receipt of the proof of loss herein required.

Abandonment -- There can be no abandonment to this Company of any property.

When loss payable -- The amount of loss for which this Company may be liable shall be payable ~~sixty~~ thirty days after proof of loss, as herein provided, is received by this Company and ascertainment of the loss is made either by agreement between the insured and this Company expressed in writing or by filing with this Company of an award as herein provided.

Suit -- No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless all the requirements of this policy shall have been complied with, and unless commenced within twelve months next after the inception of the loss.

Subrogation -- This Company may require from the insured an assignment of all right of recovery against any party for loss to the extent that payment therefor is made by this Company.

* * *

H. For the purposes of commercial property and casualty insurance policies, the standard policy of fire insurance prescribed by this Part shall not cover loss or damage caused, directly or indirectly, by terrorism, unless an endorsement specifically assuming coverage for loss or damage caused by terrorism is attached to the policy. Insurers issuing commercial property and casualty insurance policies against the peril of fire and other perils permitted under this Section are hereby authorized to add to the policy by endorsement or include within the policy statement that the policy does not cover such loss.

* * *

AMENDMENT NO. 4

On page 2, line 4, change "is" to "are"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1788 by Representative Morrish

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Insurance and adopted by the Senate on June 5, 2003, on page 1, delete lines 12 through 15 and insert the following: "one from a list of two nominees from the domestic insurer with the largest direct written premium in the state of the subject lines of business; one from a list of two nominees from an insurer with at least one percent of the aggregate statewide direct written premium of the subject lines of business; and the remaining three representatives shall be appointed at large."

AMENDMENT NO. 2

On page 10, line 15, after "insurer" delete the remainder of the line and delete line 16 and insert the following: "with the largest direct written premium in the state of the subject lines of business."

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1788 by Representative Morrish

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Insurance and adopted by the Senate on June 5, 2003, on page 1, delete lines 12 through 15 and insert the following: "one

of which shall represent the largest domestic property and casualty insurance company in this state, one of which represents the smaller property and casualty insurance companies in this state, writing the subject lines of business, selected from a list of three nominees from the Louisiana Association of Property and Casualty Companies (LAFAC), and the remaining three representatives shall be appointed at large"

Senator Heitmeier moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Lentini	McPherson
Fields	Malone	Romero
Heitmeier	Marionneaux	
Total—8		

NAYS

Mr. President	Fontenot	Michot
Bajoie	Gautreaux	Mount
Barham	Holden	Schedler
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, CD	
Ellington	Lambert	
Total—28		

ABSENT

Bean	Boissiere	Hines
Total—3		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—37		

NAYS

Cain	Dean
Total—2	

ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1788. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

Rules Suspended

Senator Theunissen asked for a suspension of the rules for the purpose of invoking 3 minute cloture.

Senator Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Michot
Barham	Gautreaux	Romero
Bean	Hines	Schedler
Cain	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Lambert	Thomas
Ellington	McPherson	
Total—23		

NAYS

Bajoie	Holden	Lentini
Chaisson	Irons	Malone
Dean	Johnson	Ullo
Fields	Jones, CD	
Total—11		

ABSENT

Adley	Heitmeier	Mount
Boissiere	Marionneaux	
Total—5		

The Chair declared the rules were suspended and 3 minute cloture was invoked.

Senator Ellington in the Chair

HOUSE BILL NO. 1863—

BY REPRESENTATIVES BRUCE AND PINAC
AN ACT

To amend and reenact R.S. 37:2167(B)(1), relative to residential building contractors; to authorize the submission of a certificate evidencing liability protection provided by a liability trust fund in lieu of liability insurance; and to provide for related matters.

Floor Amendments Sent Up

Senator Hoyt sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hoyt to Engrossed House Bill No. 1863 by Representative Bruce

AMENDMENT NO. 1

On page 1, line 2, between "37:2167(B)(1)" and the comma ",", insert "and to enact R.S. 37:2150.1(12) and (13), and 2157(A)(9) and Part I of Chapter 24 of Title 37 of the Revised Statutes of 1950, to be comprised of R.S. 37:2175.1 through 2175.5,"

AMENDMENT NO. 2

On page 1, line 5, between the semi-colon ";" and "and" insert "to provide for the registration of home improvement contractors; to provide for requirements for certain home improvement contracts; to provide fees for registration and renewal; to provide for administrative penalties; to provide for exemptions from registration;"

AMENDMENT NO. 3

On page 2, after line 3, add the following:

"Section 1. R.S. 37:2150.1(12) and (13), and 2157(A)(9) and Part I of Chapter 24 of Title 37 of the Revised Statutes of 1950, to be comprised of R.S. 37:2175.1 through 2175.5 are hereby enacted to read as follows:

§2150.1. Definitions

As used in this Chapter, the following words and phrases shall be defined as follows:

* * *

(12) "Home improvement contracting" means the reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, or demolition, or the construction of an addition to any pre-existing owner occupied building which building is used or designed to be used as a residence or dwelling unit, or to structures which are adjacent to such residence or building. "Home improvement contracting" shall not include services rendered gratuitously.

(13) "Home improvement contractor" means any person, including a contractor or subcontractor, who undertakes or attempts to, or submits a price or bid on any home improvement contracting project.

* * *

§2157. Exemptions

A. There are excepted from the provisions of this Chapter:

* * *

(9) The manufactured housing industry or those persons engaged in any type of service, warranty, repair, or home improvement work on factory-built, residential dwellings that are mounted on chassis and wheels.

* * *

PART I. HOME IMPROVEMENT CONTRACTING

§2175.1. Home improvement contracting; written contract required

A. Every agreement to perform home improvement contracting services, as defined by this Part, in an amount in excess of seventy-five hundred dollars shall be in writing and shall include the following documents and information:

(1) The complete agreement between the owner and the contractor and a clear description of any other documents which are or shall be incorporated into the agreement.

(2) The full names, addresses, and the registration number of the home improvement contractor.

(3) A detailed description of the work to be done and the materials to be used in the performance of the contract.

(4)(a) The total amount agreed to be paid for the work to be performed under the contract including all change orders and work orders.

(b) An approximation of the cost expected to be borne by the owner under a cost-plus contract or a time-and-materials contract.

(5) The signature of all parties.

B. At the time of signing, the owner shall be furnished with a copy of the contract signed by both the home improvement contractor and the owner. No work shall begin prior to the signing of the contract and transmittal to the owner of a copy of the contract.

C. Contracts which fail to comply with the requirements of this Section shall not be invalid solely because of noncompliance.

§2175.2. Home improvement contracting; registration required

A. No person shall undertake, offer to undertake, or agree to perform home improvement contracting services unless registered with and approved by the Residential Building Contractors Subcommittee of the State Licensing Board for Contractors as a home improvement contractor.

B. In order to be registered as a home improvement contractor, an applicant must make a written application under oath to the subcommittee. The application shall set forth information that includes the following:

(1) The applicant's name, home address, business address, and social security number.

(2) The names and addresses of any and all owners, partners or trustees of the applicant including, in case of corporate entities, the names and addresses of any and all officers, directors and principal shareholders. The Section shall not apply to publicly traded companies.

(3) A statement whether the applicant has ever been previously registered in the state as a home improvement contractor, under what other names he was previously registered, whether there have been previous judgments or arbitration awards against him, and whether his registration has ever been suspended or revoked.

C. The applicant shall furnish the board proof of workers' compensation insurance.

D. The subcommittee shall fix fees, in an amount not to exceed fifty dollars, in a manner established by its rules for the registration and renewal for home improvement contractors.

E. No application for registration or renewal conforming to the requirements of this Section may be denied or revoked except for a finding by the subcommittee that the applicant has done one or more of the following acts which are grounds for denial:

(1) Made material omissions or misrepresentations of fact on their application for registration or renewal.

(2) Failed to pay either the registration fee or renewal fee.

(3) Failed consistently to perform contracts or has performed contracts in an unworkmanlike manner or has failed to complete contracts with no good cause or has engaged in fraud or bad faith with respect to such contracts.

F. The subcommittee shall issue and deliver a certificate of registration to all applicants who have been approved for registration. Each certificate of registration issued by the subcommittee shall bear a number which shall be valid for one year from the date of its issuance and may be renewed upon approval of the subcommittee. The certificate shall not be transferable.

§2175.3. Home improvement contracting; prohibited acts; violations

A. The following acts are prohibited by persons performing home improvement contracting services:

(1) Operating without a certificate of registration issued by the subcommittee.

(2) Abandoning or failing to perform, without justification, any contract or project engaged in or undertaken by a registered home improvement contractor, or deviating from or disregarding plans or specifications in any material respect without the consent of the owner.

(3) Failing to credit the owner any payment they have made to the home improvement contractor in connection with a home improvement contracting transaction.

(4) Making any material misrepresentation in the procurement of a contract or making any false promise likely to influence, persuade or induce the procurement of a contract.

(5) Violation of the building code of the state or municipality.

(6) Failing to notify the subcommittee of any change of trade name or address, or conducting a home improvement contracting business in any name other than the one in which the home improvement contractor is registered.

(7) Failing to pay for materials or services rendered in connection with his operating as a home improvement contractor where he has received sufficient funds as payment for the particular construction work, project, or operation for which the services or material were rendered or purchased.

(8) Making a false representation that the person is a state licensed general contractor.

B. Violations of this Section shall subject the violator to the administrative sanctions as prescribed in this Part.

§2175.4. Home improvement contracting; administrative penalties

A. If the subcommittee determines that any registrant is liable for violation for any of the provisions contained in this Part, the subcommittee may suspend the registrant's certificate of registration for such period of time as shall be determined by the subcommittee, revoke the registrant's certificate of registration, or reprimand the registrant.

B. The subcommittee may assess an administrative penalty not to exceed one hundred dollars or twenty-five percent of the total contract price, whichever is greater, payable within thirty days of their order, for each violation of any of the provisions of this Part, committed by the home improvement contractor who is registered or who is required to be registered, plus any administrative costs incurred by the subcommittee.

C. In determining whether to impose an administrative penalty, the administrator shall consider the seriousness of the violation, the effect of the violation on the complainant, any good faith on the part of the home improvement contractor, and the home improvement contractor's history of previous violations.

§2175.5. Home improvement contracting; exceptions

A. The following persons are excepted from the provisions of this Part:

(1) The state or any of its political subdivisions.

(2) A homeowner who physically performs the home improvement work on their personal residence.

(3) Persons licensed as a contractor, subcontractor, or residential building contractor pursuant to Chapter 24 of Title 37 of the Revised Statutes of 1950.

(4) Electricians, plumbers, architects or other persons who are required by law to attain standards of competency or experience as a prerequisite to licensure for and engaging in such profession who are acting exclusively within the scope of the profession for which they are currently licensed pursuant to such other law.

(5) Any person who performs labor or services for a home improvement contractor for wages or salary and who does not act in the capacity as a home improvement contractor.

(6) Any person who works exclusively in any of the following home improvement areas:

(a) Landscaping.

(b) Interior painting or wall covering.

B. Nothing in this Section shall be construed to waive local and state health and life safety code requirements."

On motion of Senator Hoyt, the amendments were adopted.

The bill was read by title. Senator Michot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, CD	Ullio
Ellington	Lambert	

Fields
Total—37

Lentini

NAYS

Dean
Total—1

ABSENT

Schedler
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Reports of Committees

The following reports of committees were received and read:

CONFERENCE COMMITTEE REPORT House Bill No. 1968 By Representative LeBlanc

June 17, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1968 by Representative LeBlanc, recommend the following concerning the reengrossed bill:

1. That the set of amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 12, 2003, be adopted.
2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

In the set of amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 12, 2003, in Amendment No. 2, on page 1, line 7, change "14,400,000" to "\$9,400,000"

AMENDMENT NO. 2

In the set of amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 12, 2003, in Amendment No. 15, on page 2, line 34, after "constitutional," delete the remainder of the line, and delete line 35 and on page 3, delete lines 1 and 2 and insert: "the commissioner of administration is hereby authorized and directed to transfer this appropriation as follows: to 19-651 Louisiana School for the Visually Impaired in the amount of \$10,948; to 19-655 Louisiana Special Education Center in the amount of \$10,220; to 19-657 Louisiana School for Math, Science and the Arts in the amount of \$53,923; to 19-673 New Orleans Center for the Creative Arts in the amount of \$53,789; to 19-681 Subgrantee Assistance, for allocations to Type 2 charter schools, in the amount of \$283,479; and to 19-697 Nonpublic Education Assistance in the amount of \$17,032,500."

AMENDMENT NO. 3

In the set of amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 12, 2003, in Amendment No. 17, on page 3, delete line 7, and insert: "Section 2. The sum of Twenty-nine Million and no/100 (\$29,000,000.00)"

AMENDMENT NO. 4

On page 1, after line 19, insert:

"01-124 LOUISIANA STADIUM AND EXPOSITION DISTRICT"

Payable out of the State General Fund by Statutory Dedications out of the New Orleans Sports Franchise Fund for operating expenses	\$950,000"
---	------------

AMENDMENT NO. 5

On page 2, at the beginning of line 2, change "01" to "04"

AMENDMENT NO. 6

On page 2, between lines 7 and 8, insert:

"EXPENDITURES:	
Archives and Records	\$94,341
Museums and other operations	<u>\$42,121</u>
TOTAL EXPENDITURES	<u><u>\$136,462</u></u>

MEANS OF FINANCE:

State General Fund by:	
Fees & Self-generated Revenues	\$136,462

TOTAL MEANS OF FINANCING	<u><u>\$136,462"</u></u>
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AMENDMENT NO. 7

On page 7, between lines 19 and 20, insert the following:

"Payable out of Federal Funds to the Uncompensated Care Costs Program for the payments of uncompensated care costs to rural hospitals	\$707,341
--	-----------

Provided, however, that the hospitals receiving such payment shall certify Uncompensated Care Costs in the amount of \$992,341, which shall conform with rules and regulations of the Centers for Medicare and Medicaid Services."

AMENDMENT NO. 8

On page 14, between lines 2 and 3, insert the following:

"Section 7. Notwithstanding any provision of law to the contrary, including provisions of any Capital Outlay Act, the following appropriations are hereby made out of the interest earnings from the investment of general obligation bond or note proceeds in the Comprehensive Capital Outlay Escrow Account:

A. Metropolitan Development Center Replace HVAC Systems Project No. 98-342-99B-02, Part 1	\$470,000
---	-----------

Provided, however, that this appropriation shall be in lieu of the Priority 2 General Obligation Bond funding for this project contained in House Bill No. 2 of the 2003 Regular Session for this project.

B. Ruston Development Center Life Safety Code Improvements Project No. 01-107-98-04, Part 66	\$310,000
--	-----------

Provided, however, that \$225,000 of this appropriation shall be in lieu of the Priority 2 General Obligation Bond

funding for this project contained in House Bill No. 2 of the 2003 Regular Session for this project.

C. Statewide Roofing, Waterproofing, and Related Repairs and Equipment Replacement Project No. 01-107-97B-03, Parts EV and EZ	\$1,403,308
--	-------------

Provided, however, that this appropriation shall be in lieu of the Priority 2 General Obligation Bond funding contained in House Bill No. 2 of the 2003 Regular Session for this project.

D. Supplemental Funding Louisiana University Marine Consortium Project No. 19-674-00B-01, Part 01	\$41,000
---	----------

E. Booker-Fowler Fish Hatchery Project No. 16-514-90B-8, Pt. State of Louisiana through the Division of Administration v. Professional Engineering Consultants Corporation, et al.; Suit 486,073, Parish of East Baton Rouge	\$240,000
--	-----------

The appropriation of monies in this Section shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget.

Section 8. Notwithstanding any provision of law to the contrary, including the provisions of R.S. 39:126, the following capital outlay change orders are hereby approved:

A. Louisiana University Marine Consortium Project No. 19-674-00B-01, Part 01 Change Order over \$50,000	\$70,070.82
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B. Statewide Roofing Repair at State-owned Buildings District 3 Project No. 01-107-975-03, Part BM Change Order over \$50,000	\$484,151.00
--	--------------

Provided, however, that the scope of this project is hereby increased to incorporate the completion of hurricane damage to various buildings with funds being provided by the office of risk management from insurance proceeds.

Provided, further, that the approval of the change orders in this Section shall be deemed to be and shall constitute approval by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 9

On page 14, line 3, change "Section 7. to Section 9."

Respectfully submitted,

Representatives
Jerry Luke LeBlanc
Charlie DeWitt
Edwin R. Murray

Senators
John L. "Jay" Dardenne
John Hainkel
Gregory Tarver

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Dardenne, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—36

Fields
Fontenot
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Gautreaux
Total—1

ABSENT

Bean
Total—2

Lentini

The Chair declared the Conference Committee Report was adopted. Senator Dardenne moved to reconsider the vote by which the report was adopted and laid the motion on the table.

House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 1874—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 40:1300.143(3)(a)(viii), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Total—37

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Adley

Lambert

Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1877—

BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 22:214.3(C), relative to health insurance; to require health care providers and hospitals to provide certain information, including a claim form, to patients upon request; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—36

Fields
Fontenot
Gautreaux
Heitmeier
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Total—3

Hines

Lentini

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 236—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 36:609(B)(4), relative to the responsibilities of the office of wildlife, Department of Wildlife and Fisheries; to provide that the firearm and hunter education programs shall be administered by the office of wildlife; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 236 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 36:609(B)(4)" insert "and R.S. 56:115.1"

AMENDMENT NO. 2

On page 1, line 5, after "wildlife;" insert the following: "to provide for the definition of a legal buck; to provide for uniformity in size and number of antlers which an antlered buck deer must possess in order to be taken; to provide for exceptions;"

AMENDMENT NO. 3

On page 2, between lines 3 and 4, insert the following:

"Section 2. R.S. 56:115.1 is hereby enacted to read as follows:

§115.1. Antlered buck deer; uniform size and number of antlers

Notwithstanding any other provision of law to the contrary, rules and regulations for the taking of antlered buck deer in the state shall be uniform across the state as to the number and size of antlers which an antlered buck deer must possess in order to be taken. However, the Louisiana Wildlife and Fisheries Commission may limit or otherwise restrict the number and size of antlers for the taking of antlered buck deer on state wildlife management areas pursuant to any program or experiment undertaken by the commission. The provisions of this Section shall not apply to hunters under the age of sixteen."

AMENDMENT NO. 4

On page 2, line 4, change "Section 2" to "Section 3"

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Hines	Thomas
Bajoie	Lentini	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 812—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 56:410.7 and the introductory paragraph of Section 5 of Act No. 191 of the 1926 Regular Session of the Legislature, as enacted by Act No. 120 of the 1946 Regular Session of the Legislature, and amended by Act No. 307 of the 1948 Regular Session of the Legislature, and Act No. 17 of the 1956 First Extraordinary Session of the Legislature, and Act No. 66 of the 1988 Regular Session of the Legislature, and Act

No. 539 of the 1990 Regular Session of the Legislature, and Act No. 550 of the 1995 Regular Session of the Legislature, relative to the Northwest Louisiana Game and Fish Preserve Commission; to provide relative to certain powers to regulate the taking of game and fish; to provide relative to permitted and prohibited fishing gear on Black Lake, Clear Lake, and Prairie Lake; to provide relative to possession of a recreational use license on said lakes; to provide penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed House Bill No. 812 by Representative Townsend

AMENDMENT NO. 1

On page 1, at the end of line 13, delete "to" and delete line 14, and at the beginning of line 15, delete "lakes;"

AMENDMENT NO. 2

On page 2, line 6, delete "possession of recreational use license:"

AMENDMENT NO. 3

On page 2, delete line 11, and insert "of this provision shall be punishable by a twenty-five dollar fine payable to the Northwest Game and Fish Preserve Commission."

AMENDMENT NO. 4

On page 2, line 15, after "shall" delete the remainder of the line and delete line 16 and insert "be punishable by a twenty-five dollar fine payable to the Northwest Game and Fish Preserve Commission."

AMENDMENT NO. 5

On page 2, line 24, change "fifty-dollar" to "twenty-five dollar"

AMENDMENT NO. 6

On page 3, delete lines 1 through 13 in their entirety

On motion of Senator Smith, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	
Ellington	Lentini	
Total—37		

NAYS

Ullo

Page 24 SENATE

June 18, 2003

44th DAY'S PROCEEDINGS

Total—1

ABSENT

Lambert

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1327—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:560 and 561, relative to pipeline safety inspection fees; to provide relative to the collection and amounts of such fees; to provide relative to persons responsible for paying such fees; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—36		

NAYS

Cain	Dean
Total—2	

ABSENT

Mr. President

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1536—

BY REPRESENTATIVE LEBLANC

AN ACT

To enact R.S. 17:3129.5, relative to a state tuition and fee policy; to authorize the Board of Regents to study and formulate a state tuition and fee policy for public postsecondary education institutions and systems; to provide for legislative review and approval of such policy; to provide relative to policy implementation and annual reports; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 1536 by Representative LeBlanc

AMENDMENT NO. 1

Delete Senate Committee Amendments No 6, 7, 8, and 9 proposed by the Senate Committee on Education and adopted by the Senate on June 9, 2003

AMENDMENT NO. 2

On page 1, line 2, change "authorize" to "require"

AMENDMENT NO. 3

On page 1, line 11, after "legislative" delete the remainder of the line and insert "approval of authority to increase tuition or fees; implementation:"

AMENDMENT NO. 4

On page 1, line 13, delete "have the power to"

AMENDMENT NO. 5

On page 2, delete lines 11 through 22 and insert the following:

"B. Prior to the implementation of the initial increase in fees or tuition pursuant to such policy, the authority for the postsecondary education management boards to increase tuition or fees consistent with the policy shall be approved by the legislature by law by the favorable vote of two-thirds of the elected members of both houses of the legislature. Such approval shall constitute compliance with the requirements of Article VII, Section 2.1 of the Constitution of Louisiana for any subsequent increases pursuant to the policy."

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Theunissen moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Mr. President

Total—2

Lambert

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

June 18, 2003

HOUSE BILL NO. 1567—BY REPRESENTATIVES K. CARTER AND MURRAY
AN ACT

To authorize and provide for a cooperative endeavor agreement for use of certain state property in Orleans Parish with the city of New Orleans; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 1567 by Representative K.Carter

AMENDMENT NO. 1

On page 1, between lines 14 and 15, insert the following:

Section 2. Nothing in Section 1 of this Act shall authorize or permit the removal or substantive augmentation or change to the memorial erected in memory of the late Rev. Avery Alexander.

AMENDMENT NO. 2

On page 1, line 15, change "Section 2." to "Section 3."

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Lambert
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1656—BY REPRESENTATIVE STRAIN
AN ACT

To amend and reenact R.S. 23:1121(B), relative to workers' compensation; to provide for the selection of a treating physician; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—29		

NAYS

Adley	Fields	Marionneaux
Bajoie	Hines	Tarver
Cravins	Holden	
Total—8		

ABSENT

Bean	Lambert
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 425—

BY REPRESENTATIVE PITRE

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to exempt drilling rigs used exclusively for the exploration and development of minerals outside the territorial limits of the state in each parish in which the voters approve a proposition granting such exemption; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Senator Romero moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—35		

NAYS

Fields
Total—2

Marionneaux

ABSENT

Cravins
Total—2

Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 696—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 32:57(D) and R.S. 33:1372(B), relative to traffic offenses; to provide for the payment of fines by mail in cases where persons plead nolo contendere; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—35

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lentini

Malone
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Jones, B
Total—4

Lambert
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules for the purpose of reconsidering the vote on House Bill No. 696 at this time.

Reconsideration

On motion of Senator Chaisson, pursuant to the notice just given, the vote by which the following bill just passed was reconsidered.

HOUSE BILL NO. 696—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 32:57(D) and R.S. 33:1372(B), relative to traffic offenses; to provide for the payment of fines by mail in cases where persons plead nolo contendere; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 696 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 33:1372(B)," and before "relative" insert "and to enact R.S. 32:295.3,"

AMENDMENT NO. 2

On page 1, line 4, after "nolo contendere;" insert the following: "to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties;"

AMENDMENT NO. 3

On page 2, after line 14, insert the following:

"Section 3. R.S. 32:295.3 is hereby enacted to read as follows:
§295.3. Leaving children unattended and unsupervised in motor vehicles; prohibition; penalties

A. It is unlawful for any driver or operator to leave a child or children under the age of six years unattended and unsupervised in a motor vehicle.

B.(1) The term "unattended" as used in this Section means a child who has been left in a motor vehicle when the driver or operator of the vehicle is more than ten feet from the vehicle and unable to continuously observe the child.

(2) The term "unsupervised" as used in this Section means an unattended child when a person ten years of age or older is not physically present in the motor vehicle.

C.(1) A law enforcement officer who observes a child left unattended and unsupervised, for a period in excess of ten minutes, in violation of the provisions of this Section shall use whatever means are reasonably necessary to protect the child and remove the child from the motor vehicle.

(2) If the child is removed from the immediate area by a law enforcement officer pursuant to the provisions of this Section, the law enforcement officer shall place notification on the motor vehicle. The law enforcement officer shall hold the child until the parent or guardian returns.

D. Whoever violates this Section shall be fined not more than twenty-five dollars.

E. Any law enforcement officer acting in good faith pursuant to the provisions of this Section shall have immunity from any civil liability that otherwise might be incurred or imposed."

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Mount moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley

Fields

Lentini

Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—34

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD

Malone
Marionneaux
Michot
Mount
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Mr. President
Lambert
Total—5

McPherson
Tarver

Thomas

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1035—

BY REPRESENTATIVES JOHNS, DIEZ, AND THOMPSON
AN ACT

To enact R.S. 13:5106(F), relative to driving while intoxicated; to provide for the injury or death of certain operators of motor vehicles; to provide a limitation of liability for the state, state agencies, and political subdivisions; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1046—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:1736, relative to the nonconsensual towing of motor vehicles; to provide for definitions; to require certain information on the billing invoice; to provide relative to certain written contracts; to provide relative to signage on certain private property; to require uniform fees; to provide relative to the enforcement of these provisions, including the inspection of billing invoices, contracts, and other information; to provide relative to penalties for noncompliance; to provide relative to a cause of action; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 1046 by Representative Diez

AMENDMENT NO. 1

On page 2, line 21, delete "or private property"

AMENDMENT NO. 2

On page 2, line 22, after "unless" change "it" to "the tow has been authorized by a law enforcement agency of competent jurisdiction or the motor vehicle"

AMENDMENT NO. 3

On page 3, line 24, after "company" insert "and the tow truck"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1046 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 32:1736" to "R.S. 32:1714 and 1736" and delete "nonconsensual"

AMENDMENT NO. 2

On page 1, line 9, after "action;" insert "to provide for compliance with certain laws and regulations;"

AMENDMENT NO. 3

On page 1, line 11, change "R.S. 32:1736 is" to "R.S. 32:1714 and 1736 are"

AMENDMENT NO. 4

On page 1, between lines 11 and 12, insert:

"§1714. Powers and duties of the office of state police
The Department of Public Safety and Corrections, office of state police, subject to the provisions of the Administrative Procedure Act, shall:

* * *

(7) Insure compliance of every tow truck, towing facility, storage facility, and every employee subject to, or licensed in accordance with this Chapter, with the laws of this state, regulations of the Federal Motor Carrier Administration, and regulations promulgated pursuant to this Chapter.

* * *

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator Heitmeier moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Dardenne
Dean
Dupre
Ellington
Fields
Total—36

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Chaisson
Total—3

Cravins

Lambert

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1406—

BY REPRESENTATIVE ROMERO

AN ACT

To enact R.S. 45:164(E), relative to common carriers; to provide relative to movers of household goods; to require all movers of household goods to comply with certain requirements; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1406 by Representative Romero

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the SENATE on June 10, 2003 on page 1 after line 23, insert the following:

"(c) Should the carrier cease to maintain a permanent establishment in the state, its right to conduct business in the state shall be immediately suspended."

(3) The Louisiana Public Service Commission shall adopt and promulgate rules and regulations necessary to the proper implementation and administration of this Subsection, subject to the oversight of the standing committees on transportation, highways, and public works of the Senate and the House of Representatives pursuant to the Administrative Procedure Act. The provisions of this Section shall apply only when the contract for moving household goods exceeds two hundred fifty dollars.

Section 2. This Act shall be effective on January 1, 2004."

AMENDMENT NO. 2

On page 1, line 17, change "performance" with "surety"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 1406 by Representative Romero

AMENDMENT NO. 1

On page 1, line 3, after "require" change "all" to "certain"

AMENDMENT NO. 2

On page 1, line 9, after "goods" insert "except those operating primarily within one parish"

Senator McPherson moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Michot
Bajoie	Gautreaux	Mount
Barham	Hines	Romero
Boissiere	Hollis	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, CD	Theunissen
Dean	Marionneau	
Dupre	McPherson	
Total—25		

NAYS

Mr. President	Holden	Thomas
Fields	Hoyt	Ullo
Fontenot	Lentini	
Heitmeier	Malone	
Total—10		

ABSENT

Bean	Jones, B
Dardenne	Lambert
Total—4	

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 1406 by Representative Romero

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 10, 2003, on page 1, line 6, after "goods" and before "shall" insert "or non-hazardous industrial solid waste"

AMENDMENT NO. 2

On page 1, line 9, after "goods" and before "shall" insert "and transporters of non-hazardous industrial solid waste"

AMENDMENT NO. 3

On page 1, line 13, after "goods" and before the comma "," insert "and transporters of non-hazardous industrial solid waste"

AMENDMENT NO. 4

On page 2, line 3, after "goods" and before the period "." insert "and transporters of non-hazardous industrial solid waste"

Senator McPherson moved adoption of the amendments.

Senator Fontenot objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dean	Hollis
--------	------	--------

June 18, 2003

Bean
Boissiere
Cain
Cravins
Total—15

Dupre
Gautreaux
Heitmeier
Hines

Jones, B
Malone
McPherson
Romero

NAYS

Mr. President
Adley
Bajoie
Dardenne
Ellington
Fontenot
Holden
Total—19

Hoyt
Irons
Johnson
Lentini
Marionneaux
Mount
Schedler

Smith
Tarver
Theunissen
Thomas
Ullo

ABSENT

Chaisson
Fields
Total—5

Jones, CD
Lambert

Michot

The Chair declared the amendments were rejected.

The bill was read by title. Senator Romero moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—37

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Hoyt
Total—2

Lambert

The Chair declared the amended bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1786—

BY REPRESENTATIVE ALARIO AND SENATOR B. JONES
AN ACT

To amend and reenact R.S. 17:3351.3(C) and to enact R.S. 17:1855.1, 3351.3(D), and 3351.7, to authorize the boards of supervisors of the Southern University System, the Louisiana State University System, and the University of Louisiana System to impose an academic excellence fee for students attending the institutions under the management and supervision of each board; to provide for the fee amounts; to provide relative to waivers for certain students; to provide limitations; to provide for effectiveness; and to provide for related matters.

The bill was read by title. Senator B. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Bean
Boissiere
Chaisson
Cravins
Dardenne
Dupre
Ellington
Fontenot
Total—31

Gautreaux
Heitmeier
Hines
Holden
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Marionneaux
McPherson

Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Cain
Dean
Total—6

Fields
Hollis

Lentini
Malone

ABSENT

Mr. President
Total—2

Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1850—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 32:1720.1, relative to the towing and storage of motor vehicles; requires a repair or body shop operator to surrender a vehicle to a lienholder under certain circumstances; to require a lienholder to pay certain expenses prior to surrender of the vehicle; and to provide for related matters.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Reengrossed House Bill No. 1850 by Representative Hopkins

AMENDMENT NO. 1

On page 2, line 2, after "until", insert the following: "The registered owner of the vehicle has received a ten-day notice by certified mail and has had the opportunity to pay the storage charges and"

On motion of Senator Fields, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

June 18, 2003

Adley	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Fields	Marionneaux	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Fontenot	Lambert
Bajoie	Irons	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1935—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to special prestige license plates; to require an organization to prepay the secretary of the office of motor vehicles for one thousand license plates or provide a guarantee that one thousand license plates will be purchased before such a plate is created; and to provide for related matters.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Engrossed House Bill No. 1935 by Representative Katz

AMENDMENT NO. 1

On page 2, after line 22, insert the following:

"(c) The secretary shall not authorize the production of any further prestige license plates established prior to January 1, 2002, unless the conditions set forth in Sub-subparagraphs (b)(i), (ii) and (iii) of this Paragraph are met."

On motion of Senator Fields, the amendments were adopted.

The bill was read by title. Senator Heitmeier moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver

Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, CD	Ullo
Ellington	Malone	
Fields	Marionneaux	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Jones, B	Lentini
Bajoie	Lambert	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Fields in the Chair

HOUSE BILL NO. 128—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 9:2795.3, relative to limitation of liability for motorized off-road vehicle activities; to provide for definitions; to provide for limitations of liability in certain circumstances; to provide for exceptions; to provide for the posting of signs and warnings; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fontenot	Malone	Ullo
Total—33		

NAYS

Fields
Total—1

ABSENT

Mr. President	Bajoie	Lentini
Adley	Lambert	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 370—

BY REPRESENTATIVE FAUCHEUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to provide capital from certain revenues for industrial development purposes; to

provide prerequisites; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 370 by Representative Faucheux

AMENDMENT NO. 1

On page 3, line 24, after "maintenance of" delete the remainder of the line and line 25 in its entirety and insert in lieu thereof:

"immovable property, the title is not transferred from the owner or owners of the immovable property at the time the cooperative endeavor agreement is entered into."

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	
Fields	Malone	
Total—34		

NAYS

Dean	Ullo
Total—2	

ABSENT

Mr. President	Lambert	Lentini
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 398—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Civil Procedure Article 1734.1, relative to deposits for jury trials; to provide for the discretionary authority of the court in setting the amount of the deposit; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Malone	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Lambert
Dean	Lentini
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Ellington in the Chair

HOUSE BILL NO. 417—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 11:558(A)(4) and (5) and to enact R.S. 11:558(A)(6), relative to the Louisiana State Employees' Retirement System; to provide with respect to judges and officers of the court who are members of the system; to provide relative to retirement eligibility; to provide for retirement at age sixty-five with at least ten years of creditable service; to clarify that remaining in office beyond age seventy is not prohibited by statute if permitted by the constitution; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 417 by Representative Murray

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Retirement and adopted by the Senate on June 11, 2003, on page 1, line 16, after "surviving spouse," insert "of any member who dies on or after June 1, 2003,"

AMENDMENT NO. 2

On page 4, between lines 9 and 10, insert "Section 2. The provisions of R.S. 11:562(C) are remedial in nature and are effective on and after June 1, 2003."

AMENDMENT NO. 3

On page 4, line 10, change "Section 2." to "Section 3."

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Jones, CD
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	Romero
Cain	Hines	Schedler
Chaisson	Holden	Tarver
Cravins	Irons	Theunissen
Dupre	Johnson	
Total—20		

NAYS

Adley	Hollis	Smith
Barham	Hoyt	Thomas
Dardenne	Malone	Ullo
Dean	Michot	
Fontenot	Mount	
Total—13		

ABSENT

Mr. President	Jones, B	Lentini
Ellington	Lambert	McPherson
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 429—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:291(D), relative to disclosure of employment information; to provide employers with immunity from civil liability under certain circumstances; to provide the definition of "owners"; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, CD	Ullo
Ellington	Malone	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Lambert
Jones, B	Lentini
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 604—

BY REPRESENTATIVES DEVILLIER AND MURRAY

A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to provide for the protection of the ownership rights of personal property; to clarify that contraband has no such protection; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Reengrossed House Bill No. 604 by Representative Devillier

AMENDMENT NO. 1

On page 1, line 4, after "property;" delete the remainder of the line and on line 5 delete "such protection" and insert "to provide that certain controlled dangerous substances shall not be deemed personal property"

AMENDMENT NO. 2

On page 2, line 14, after "effects" delete "other than contraband"

AMENDMENT NO. 3

On page 2, line 15, after "taken." insert "In no instance shall a controlled dangerous substance, as defined by the Uniform Controlled Dangerous Substances Law, be deemed to constitute personal effects."

AMENDMENT NO. 4

On page 3, line 9, after "does not" delete the remainder of the line and insert "include controlled dangerous substances as defined by the Uniform Controlled Dangerous Substances Law."

On motion of Senator Fields, the amendments were adopted.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Reengrossed House Bill No. 604 by Representative Devillier

AMENDMENT NO. 1

On page 1, line 2, change "Section 4" to "Sections 4 and 15"

AMENDMENT NO. 2

On page 1, line 3, change "the right to property" to "rights"

AMENDMENT NO. 3

On page 1, line 5, between "protection;" and "to" insert "to provide that the attorney general may investigate, in cooperation with the district attorney, sheriff, and municipal police with jurisdiction and the state police, and prosecute any homicide involving a state elected official; to provide for definitions;"

June 18, 2003

AMENDMENT NO. 4

On page 1, line 10, between change "Section 4" to "Sections 4 and 15"

AMENDMENT NO. 5

On page 2, after line 26, insert the following:

§15. Initiation of Prosecution

Section 15.(A) Prosecution of a felony shall be initiated by indictment or information, but no person shall be held to answer for a capital crime or a crime punishable by life imprisonment except on indictment by a grand jury. No person shall be twice placed in jeopardy for the same offense, except on his application for a new trial, when a mistrial is declared, or when a motion in arrest of judgment is sustained.

(B) To ensure rights granted to the people of this state to have a representative government with elected officials serving in the public interest free of the threat of homicidal death and to have full investigation and prosecution of the homicidal death of an elected official and notwithstanding any provision of this Constitution to the contrary, the attorney general may, with the cooperation and assistance of the district attorney, sheriff, and municipal police with jurisdiction and the office of state police, investigate, prosecute, or intervene in any criminal case involving the homicidal death of a state elected official. For purposes of this Paragraph, "state elected official" means and includes those officials holding a state elected office elected by popular vote provided for in Article III and Article IV of this Constitution, a justice of the supreme court, or a judge of a court of appeal.

AMENDMENT NO. 6

On page 3, at the end of line 9, before the period ".", insert "; to provide that the attorney general may investigate, with the assistance and cooperation of the district attorney, sheriff, and municipal police with jurisdiction and the state police, any homicidal death of a state official"

AMENDMENT NO. 7

On page 3, line 10, change "Section 4" to "Sections 4 and 15"

Senator Dean asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

The amendment was withdrawn.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 604 by Representative Devillier

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 through 4 proposed by Senator Fields and adopted by the Senate on June 18, 2003.

Senator Lentini moved adoption of the amendments.

Senator Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Dardenne
Dean
Dupre
Ellington
Fontenot
Total—15

Heitmeier
Hollis
Hoyt
Lentini
Malone

Marionneau
Mount
Schedler
Smith
Theunissen

NAYS

Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Total—22

Fields
Gautreaux
Hines
Holden
Irons
Johnson
Jones, B
Jones, CD

McPherson
Michot
Romero
Tarver
Thomas
Ullo

ABSENT

Mr. President
Total—2

Lambert

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Jones to Reengrossed House Bill No. 604 by Representative Devillier

AMENDMENT NO. 1

On page 2, line 14, after "contraband," insert "as defined in R.S. 14:402"

Senator C. Jones moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Bean
Boissiere
Cain
Cravins
Dean
Dupre
Ellington
Fields
Total—25

Fontenot
Gautreaux
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD

Malone
McPherson
Michot
Romero
Schedler
Thomas
Ullo

NAYS

Adley
Barham
Dardenne
Total—7

Lentini
Mount
Smith

Theunissen

ABSENT

Mr. President
Chaisson
Heitmeier
Total—7

Jones, B
Lambert
Marionneau

Tarver

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 604 by Representative Devillier

AMENDMENT NO. 1

On page 1, line 2, change "Section 4" to "Sections 4 and 27"

AMENDMENT NO. 2

On page 1, line 3, between "property;" and "to" insert "to preserve the freedom to hunt, fish, and trap the wildlife property of the state, subject to regulation, restriction, or prohibition imposed pursuant to law;"

AMENDMENT NO. 3

On page 1, line 10, between change "Section 4" to "Sections 4 and 27"

AMENDMENT NO. 4

On page 2, after line 26, insert the following:

* * *

§27. Freedom to Hunt, Fish and Trap

Section 27. The freedom to hunt, fish, and trap the wildlife property of the state, including all aquatic life, traditionally taken by hunters, trappers and anglers, is a valued natural heritage that shall be forever preserved for the people. Hunting, fishing, and trapping shall be managed by law and regulation consistent with Article IX, Section 1 of this Constitution to protect, conserve, and replenish the natural resources of the state. The provisions of this Section shall not alter the burden of proof requirements otherwise established by law for any challenge to a law or regulation pertaining to hunting, fishing, or trapping the wildlife of the state, including all aquatic life. Nor shall the provisions of this Section diminish or otherwise alter the right to property or the right of any person to restrict or deny access to immovable property for hunting, fishing or trapping purposes in the same manner and to the same extent as such person may lawfully restrict or deny access to such property for any other purpose."

AMENDMENT NO. 5

On page 3, at the end of line 9, before the period ".", insert "and to guarantee the right of every citizen to hunt, fish and trap, subject to regulation, restriction or prohibition as provided by law"

AMENDMENT NO. 6

On page 3, line 10, change "Section 4" to "Sections 4 and 27"

Senator McPherson moved adoption of the amendments.

Senator Hoyt objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Chaisson	Holden	Mount
Cravins	Hollis	Romero
Dardenne	Irons	Schedler

Dean
Dupre
Ellington
Fields
Total—33

Johnson
Jones, B
Jones, CD
Lentini

Smith
Theunissen
Thomas
Ullo

NAYS

Hoyt
Total—1

ABSENT

Mr. President
Bajoie
Total—5

Bean
Lambert

Tarver

The Chair declared the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Total—36

Ellington
Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Irons
Johnson
Jones, B
Jones, CD

Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Hoyt
Total—3

Lambert

Tarver

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 784—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2721.1(A), relative to the recordation of leases of immovable property; to provide for recordation of certain mineral leases; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Barham
Bean
Boissiere

Heitmeier
Hines
Holden
Hollis

McPherson
Michot
Mount
Romero

Cain
Chaisson
Dardenne
Dean
Ellington
Total—26

Hoyt
Irons
Johnson
Jones, CD
Lentini

Schedler
Tarver
Theunissen
Thomas

NAYS

Fields
Fontenot
Gautreaux
Total—7

Malone
Marionneaux
Smith

Ullo

ABSENT

Mr. President
Bajoie
Total—6

Cravins
Dupre
Jones, B
Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 795—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:20(C), 28(B)(1)(e), 29.4(C), 85(D), 231(B), 371(A), and 376(A) and to enact R.S. 27:30.3, 30.4, 85(E), 260(E), and 376(C), (D), and (E), relative to the Louisiana Gaming Control Law; to provide for a comprehensive revision of the law applicable to gaming; to authorize gaming licensees to detain a person suspected of committing the crime of gaming when the person is under the age of twenty-one; to create the crime of using or manufacturing slugs or counterfeit chips or tokens; to create the crime of the manufacture, sale, or distribution of gaming materials intended for illegal use; to provide for applicability; to provide for penalties; to provide for definitions; to delete the provision of law requiring presence of an agent of the gaming board to be present all times during hours of operation at land-based casinos; to provide that a felony crime of violence is a basis for disqualification for granting a license, permit, or other board approval; to require key and non-key gaming employees be twenty-one years of age; to provide criminal penalties for allowing a person under the age of twenty-one to play slot machines in an eligible horse racing facility; to provide with respect to defenses; to prohibit the game of poker to be offered on slot machines at eligible horse racing facilities; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Reengrossed House Bill No. 795 by Representative Martiny

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003, on page 1, line 6 thereof, change "and 392(B)(7)," to ", 392(B)(7), and Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:451,"

AMENDMENT NO. 2

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003, on page 1, at the end of line 12, after "funds;" insert "to provide a procedure for negotiation and approval of Indian gaming compacts; to provide relative to approval authority; to provide relative to the terms of such compacts;"

AMENDMENT NO. 3

In Senate Committee Amendment No. 7 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003, on page 1, at the end of line 19, change "and 392(B)(7)," to ", 392(B)(7), and Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:451,"

AMENDMENT NO. 3

In Senate Committee Amendment No. 12 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003, on page 4, after line 11, add the following:

"CHAPTER 9. INDIAN GAMING COMPACTS

§451. Indian Gaming Compacts; contribution disbursements; additional requirements

A.(1) Notwithstanding any other provision of law to the contrary, the state may enter into a gaming compact with any federally recognized Indian tribe which shall govern all matters concerning Class III gaming on such tribe's reservation if such primary reservation or service area is located in the state of Louisiana. If the governor recommends approval, he shall notify the president of the Senate, the speaker of the House of Representatives, the House Committee on the Administration of Criminal Justice, and the Senate Committee on Judiciary B. Within thirty days after being notified by the governor pursuant to this Subsection, such committees may conduct public hearings as deemed necessary in Baton Rouge and in other areas which would be significantly impacted by a proposed Indian gaming compact in order to address the concerns of the people in those communities that will be most affected by such compact. If a committee holds any hearing as authorized in this Subsection, it shall submit a report of the hearing to the legislature within forty-five days after receipt of notification from the governor.

(2) "Compact", as used in this Section includes an Indian gaming compact and any extension, renegotiation, or renewal of an Indian gaming compact.

B. Prior to any Indian gaming compact being executed by the governor between the state of Louisiana and a federally recognized Indian tribe, or to permitting the renewal of any such Indian gaming compact, the governor shall submit the compact to the legislature for approval or rejection. No Indian gaming compact shall be signed by the governor until it is approved by a majority vote of each house of the legislature.

C.(1) If a compact is submitted to the president of the Senate and the speaker of the House of Representatives no earlier than sixty days prior to a regular session or during a regular session at least sixty days prior to adjournment sine die, the legislature has until adjournment sine die of that session to approve or reject the compact with the adoption of a concurrent resolution by a majority vote of the elected members of each house. If the legislature does not adopt a concurrent resolution, the compact shall be considered rejected.

(2) If a compact is submitted to the president of the Senate and speaker of the House during a regular session less than sixty days prior to adjournment sine die of the session, and the legislature does not approve or reject the compact during the session, the legislature shall vote on the compact by mail ballot as provided herein.

(a) If the legislature is in session fifty days after the compact is received, the compact, committee report, if any, and the ballot shall be delivered to the members of the legislature by the secretary of the Senate and the clerk of the House of Representatives. The ballots shall be returned to the secretary and clerk within fifteen days of the date which the secretary and clerk certify as the date that the ballots were delivered to members to which delivery was possible. If the secretary or clerk is unable to deliver the compact, committee report, if any, and ballot to any member, then the secretary or clerk shall mail the compact, committee report, if any, and ballot on the same day, as provided in Subparagraph (b).

(b) If the legislature is not in session fifty days after the compact is received, the compact, committee report, if any, and the ballot shall be mailed to all members by the secretary and the clerk, being postmarked on the same day, by certified mail with return receipt requested, and shall be returned to the secretary and clerk within fifteen days after the postmarked date.

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D.(1) When a ballot is required pursuant to Subparagraphs (C)(2)(a) or (b), the secretary and the clerk shall prepare a ballot.

(2) The ballot shall be uniform, identify the compact and provide a method to indicate whether the members approve or reject the proposal, and such other pertinent information as the secretary and clerk shall determine.

(3) If more than one compact is to be voted on, the ballot shall set forth each compact in such form as to enable each member to cast his vote separately approving or rejecting each compact.

(4) Each ballot also shall contain the name of the member to whom it is to be mailed and the member shall sign the ballot after casting his vote.

E. No ballot received by the secretary or the clerk after five o'clock p.m. on the fifteenth day after the date on which the ballots were delivered to the members or after the date on which the ballots were mailed, shall be valid or counted, but the day and time received shall be marked on each ballot received after such time and the ballot shall be marked "Invalid". However, prior to five o'clock p.m. on the fifteenth day when delivered to the members while in session or after the postmarked date if mailed to the members of the legislature, a member may withdraw his ballot or change his vote upon his written request.

F. For the purposes of this Section, an electronically transmitted ballot shall be sealed immediately upon receipt and its contents not disclosed until the day when all ballots are opened and tabulated.

G.(1) On the sixteenth day after the date on which the ballots were mailed, as provided herein, the secretary and clerk shall open and tabulate the vote in roll call order for each house. The secretary and clerk shall hold such ballots unopened and shall not disclose the contents to any person until the day when such ballots are opened and tabulated. No ballot shall be deemed spoiled if inadvertently opened in processing or if received and sealed pursuant to Subsection F of this Section.

(2) The tabulation shall indicate by name those members who voted to approve the compact, those who voted to reject the compact, those who did not vote, those who did not return the ballot by the due date and time, and those whose ballots were invalid because not signed by the member. The secretary and clerk shall sign the tabulation sheet or sheets and cause a summary thereof to be transmitted to the respective presiding officers. Failure of a majority of the elected members of each house to reject the compact shall constitute approval of the compact.

H. If approved by the legislature and executed by the governor, the compact shall be submitted to the United States secretary of the interior for approval.

I. No compact, nor any extension, renegotiation, or renewal thereof, shall have a term that exceeds seven years.

J. Notwithstanding any other provision of law to the contrary, no gaming compact entered into prior to August 15, 2003, shall be extended, renewed, renegotiated, or executed by the governor, and no gaming compact may be entered into, on or after August 15, 2003, without compliance with the procedure set forth in this Section. Section 2, R.S. 27:451, as enacted in this Act, shall supersede conflicting provisions of R.S. 27:15(B)(1) and 31(A)(1), R.S. 46:2302 and 2303, Act No. 888 of the 1990 Regular Session of the Legislature, and Act No. 817 of the 1993 Regular Session of the Legislature."

Senator Malone moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Boissiere	Heitmeier	Michot

Cain	Hines	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lentini	Thomas
Fields	Malone	Ullo
Total—30		

NAYS

Chaisson	Irons
Holden	Johnson
Total—4	

ABSENT

Mr. President	Bean	Schedler
Bajoie	Lambert	
Total—5		

The Chair declared the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0	
---------	--

ABSENT

Mr. President	Lambert	Tarver
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 816— BY REPRESENTATIVE MURRAY AN ACT

To amend and reenact R.S. 15:574.1 and 574.2(A)(3), relative to the traveling expenses of the members of the Board of Parole and the Board of Pardons; to provide that members of the Board of Parole and the Board of Pardons shall have the use of a state-owned vehicle; and to provide for related matters.

On motion of Senator Johnson, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 853—BY REPRESENTATIVES FARRAR, R. CARTER, FAUCHEUX, HEATON,
AND WELCH**AN ACT**

To enact R.S. 13:996.60, relative to judicial expense fund accounts of the various district courts; to permit interest earned on money in other accounts of the district court to be deposited into the judicial expense fund account; to provide for an exception; and to provide for related matters.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed House Bill No. 853 by Representative Farrar

AMENDMENT NO. 1

On page 2, line 2, after "account," insert the following: "The interest accrued funds provided for in this Section shall not be used for salaries."

On motion of Senator Irons, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lentini	
Total—26		

NAYS

Adley	Dean	Michot
Barham	Hollis	Mount
Dardenne	Jones, B	Ullo
Total—9		

ABSENT

Mr. President	Lambert
Gautreaux	Tarver
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of advancing to the order of

**House Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Heitmeier asked that House Bill No. 1284 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1284—BY REPRESENTATIVES TOOMY, ANSARDI, CAPELLA, DAMICO,
LANCASTER, AND MARTINY**AN ACT**

To amend and reenact R.S. 13:2562.24(D) and to enact R.S. 13:2562.24(E), relative to the First and Second Parish Courts of Jefferson Parish; to authorize the Jefferson Parish Council and the judges of the courts to provide for a security service charge fee on each filing in the First and Second Parish Courts of Jefferson Parish; to authorize the fee to be used to defray the cost of the purchase, operation, and maintenance of courtroom security devices; to authorize any excess in fees generated to be used to defray the cost of other judicial equipment, facilities, building new facilities, or payment of any bond indebtedness; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Jones, CD	Ullo
Total—30		

NAYS

Mr. President	Dean	Smith
Cain	Hollis	Tarver
Cravins	Michot	
Total—8		

ABSENT

Lambert
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator B. Jones asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1284. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Called from the Calendar

Senator Chaisson asked that House Bill No. 1940 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1940—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:15(D) and (E), relative to the Louisiana Gaming Control Law; to provide that civil penalties imposed by the Louisiana Gaming Control Board are applicable to the land-based casino and live horse racing facilities conducting slot machine gaming; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fontenot	Jones, CD
Bajoie	Gautreaux	Lentini
Bean	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Chaisson	Holden	Michot
Cravins	Hollis	Mount
Dardenne	Hoyt	Romero
Dupre	Irons	Schedler
Ellington	Johnson	Theunissen
Fields	Jones, B	Ullo
Total—30		

NAYS

Barham	Dean	Smith
Cain	Malone	Thomas
Total—6		

ABSENT

Mr. President	Lambert	Tarver
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator C. Jones asked that House Bill No. 591 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 591—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 18:102, relative to persons ineligible to register to vote; to provide for the eligibility of a person convicted of a felony prior to adoption of the 1974 Constitution of Louisiana who has fully satisfied and completed his sentence to register to vote and vote; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Malone	
Total—35		

NAYS

Lentini
Total—1

ABSENT

Mr. President	Cravins	Lambert
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Holden asked that House Bill No. 1432 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1432—

BY REPRESENTATIVES DANIEL AND MURRAY

AN ACT

To enact R.S. 36:209(T) and 802.18 and Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1751 through 1753, relative to the Louisiana Purchase Commemorative Act; to establish the Louisiana Purchase Commemorative Act Commission as an agency of the state within the Department of Culture, Recreation and Tourism; to provide relative to the authority and responsibilities of the commission; to establish three funds to receive monies available to purchase land for public parks and green spaces; and to provide for related matters.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Reengrossed House Bill No. 1432 by Representative Daniel

AMENDMENT NO. 1

On page 4, between lines 7 and 8, insert the following:

"(18) One member appointed by the Louisiana Chapter of the American Planning Association.

(19) One member appointed by the Southern University School of Urban Forestry."

AMENDMENT NO. 2

On page 5, line 7, after "purchase" insert the words "or develop"

AMENDMENT NO. 3

On page 6, at the beginning of line 1, before "of" insert "or development"

On motion of Senator Holden, the amendments were adopted.

The bill was read by title. Senator Holden moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Fields	Lentini	Ullo
Fontenot	Malone	
Gautreaux	Marionneaux	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President	Ellington
Cravins	Lambert
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair**Called from the Calendar**

Senator Dardenne asked that House Bill No. 359 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 359—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 17:71.3(E)(2)(a) and (c), relative to the use of divided precincts in school board redistricting; to provide relative to precincts divided by the boundary between a city and a parish school system; to prohibit conducting an election using a ballot based on a plan that violates restrictions on the use of divided precincts; and to provide for related matters.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed House Bill No. 359 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 9, after "precinct" insert "shall be pre-cleared by the United States Justice Department and"

On motion of Senator Fields, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Fields	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Ellington	Lambert
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Ullo asked that House Bill No. 400 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 400—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:104(F), 451.1, 532.1(C)(3)(b) and (G)(2)(d), 1922(B), and 1941(A) and to enact R.S. 18:1941(C) and 1942, relative to preclearance of reapportionment and redistricting plans; to require certain notice thereof to the secretary of state; to change references to the Department of Justice; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler

Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Heitmeier	Lambert	Lentini
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Ellington asked that House Bill No. 2013 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2013 (Substitute Bill for House Bill No. 1725 by Representative Townsend)
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 44:4.1(B)(1) and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13 and R.S. 36:629(Q) and 919.7 and R.S. 56:319(F), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to provide relative to authority from the Department of Wildlife and Fisheries to possess certain fish; to require certain aquatic producers to obtain a license or permit; to provide for fees for the issuance of such license or permit; to establish criteria for inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 2013 by Representative Townsend

AMENDMENT NO. 1

Delete Amendment No. 3 proposed by the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development and adopted by the Senate on June 4, 2003.

AMENDMENT NO. 2

On page 4, line 4, change "LWFC" to "Commission"

AMENDMENT NO. 3

On page 5, between lines 11 and 12, insert the following: "(10)One member shall be appointed from the Department of Economic Development."

AMENDMENT NO. 4

On page 9, at the end of line 11, insert the following: "However, any gamefish whose sale is regulated by R.S. 56:327 shall not be raised to be sold for human consumption unless authorized in R.S. 56:327."

AMENDMENT NO. 5

On page 10, line 26, change "LWFC" to "commission"

AMENDMENT NO. 6

On page 11, line 3, change "LWFC" to "commission"

AMENDMENT NO. 7

On page 11, line 4, after "meetings," delete the remainder of the line and delete lines 5 through 13 in their entirety and insert in lieu thereof the following:

"If, after full participation by the Department of Wildlife and Fisheries in conjunction with the Aquaculture Council and after the public hearing process, the commission's findings of fact and conclusions of law and relevant scientific evidence would offer compelling evidence that a native and indigenous species could be damaged, the commission may recommend to the commissioner that a species is not suitable for aquaculture. If the commission makes such a recommendation, the commissioner shall not proceed with rulemaking relative to that species."

E. If, forty-five days after submission of the council's report as required by Paragraph (C)(2) of this Section, the commission has not considered the council's recommendation nor has the commission made a recommendation to the commissioner that a native and indigenous species could be damaged, the"

AMENDMENT NO. 8

On page 11, line 14, after "commissioner" insert "may"

AMENDMENT NO. 9

On page 11, line 16, after "oversight" insert "consistent with R.S. 49:968"

AMENDMENT NO. 10

On page 14, between lines 18 and 19, insert the following:

"E. A representative of the Department of Wildlife and Fisheries enforcement division may examine any facility operated by an aquatic producer licensed under the provisions of this Part and the records associated with that facility only when accompanied by a representative of the Department of Agriculture and Forestry. However, in case of an emergency or, if a representative of the Department of Agriculture and Forestry is not available within forty-eight hours, a representative of the Department of Wildlife and Fisheries enforcement division may enter a facility or examine its records without being accompanied."

On motion of Senator Ellington, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Hines	Romero
Boissiere	Holden	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—37		

NAYS

Total—0

ABSENT

Hollis

Lambert

Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Gautreaux asked that House Bill No. 866 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 866—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 11:431, relative to the Louisiana State Employees' Retirement System; to provide relative to the purchase of service credit; to provide for the purchase of service credit by a system member who was previously a teacher in a nonpublic school; to provide that such purchase shall be actuarially sufficient to offset the increased liability of the system; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Total—33		

NAYS

Total—0

ABSENT

Mr. President

Heitmeier

Lentini

Ellington

Lambert

Ullo

Total—6

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Hollis asked that House Bill No. 1989 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1989—

BY REPRESENTATIVES HEBERT, DEWITT, BAYLOR, ERDEY, FRUGE, MORRISH, GARY SMITH, TOWNSEND, AND TUCKER

AN ACT

To enact R.S. 22:231(H) and 236(10) and Chapter 8 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3101 through 3112, relative to minimal benefit hospital and medical policies; to create the Louisiana Safety Net Health Insurance Program; to provide for the Louisiana Health Plan; to provide for eligibility; to provide for participation; to provide for employers; to provide for administration and oversight; to provide for the Office of Group Benefits; to provide for coverage and benefits; to provide for policy forms and requirements; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—37		

NAYS

Total—0

ABSENT

Heitmeier

Lambert

Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Hollis asked that House Bill No. 969 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 969—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:2(A)(1), R.S. 23:1, R.S. 30:2003(A), and R.S. 51:121 and 921 and to enact R.S. 22:1368, relative to state agencies and the regulation of business and industry; to provide relative to the insurance industry; to provide for the conduct of certain adjudications involving insurance by the Division of Administrative Law; to provide relative to labor laws; to provide relative to regulation and control over the state's environment; to provide relative to commerce and economic development in the state; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed House Bill
No. 969 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, between 22:2(A)(1)," and "R.S. 23:1" insert "1138.1(A)(2),"

AMENDMENT NO. 2

On page 1, line 9 after "state;" insert "to provide for credit insurance;"

AMENDMENT NO. 3

On page 1, line 11, change "R.S. 22:2(A)(1) is" to "R.S. 22:2(A)(1) and 1138.1(A)(2) are"

AMENDMENT NO. 4

On page 2, between lines 3 and 4, insert the following:

"§1138.1. Specialty limited lines credit insurance

(2) No producer shall sell, solicit, or negotiate credit life, credit health and accident, or credit property and casualty insurance pursuant to a specialty limited lines credit insurance producer license other than (i) in connection with retail sales transactions not exceeding ten thousand dollars per retail sales transaction; or (ii) in connection with retail sales of motor vehicles wherein the transaction exceeds ten thousand dollars as provided in rules and regulations promulgated by the commissioner of Insurance.

On motion of Senator Hollis, the amendments were adopted.

The bill was read by title. Senator Hollis moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Tarver
Boissiere	Lambert	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Fontenot asked that House Bill No. 1011 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1011—

BY REPRESENTATIVE DEVILLIER
AN ACT

To enact R.S. 40:1002, relative to controlled dangerous substances; to create the crime of the creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Lambert
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Marionneaux asked that House Bill No. 750 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 750—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 17:239, to prohibit the use or operation of any electronic telecommunication device by a student in any public elementary and secondary school or on the grounds thereof or in any school bus used to transport public school students; to provide exceptions; to provide relative to penalties; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Boissiere	Hoyt	Lambert
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Gautreaux asked that House Bill No. 457 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 457—

BY REPRESENTATIVES TRICHE, FRITH, AND NEVERS
AN ACT

To enact R.S. 17:154.1(A)(3), relative to minimum requirements for instructional time; to provide for applicability of such requirements to certain public schools and school systems under certain circumstances; to provide for certification by the state superintendent of education relative to such applicability; to provide for rules and regulations adopted by the State Board of Elementary and Secondary Education relative to such applicability; to provide for effectiveness; and to provide for related matters.

Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Engrossed House Bill No. 457 by Representative Triche

AMENDMENT NO. 1

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Education and adopted by the Senate on May 12, 2003, on page 1, line 4, delete "declared by the governor"

Senator Gautreaux moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Hines	Romero
Boissiere	Holden	Schedler
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, CD	Ullo
Ellington	Malone	
Total—35		

NAYS

Dean
Total—1

ABSENT

Jones, B	Lambert	Lentini
Total—3		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 457 by Representative Triche, et al

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:154.1(A)(3)" delete the comma ", " and insert "and (4),"

AMENDMENT NO. 2

On page 1, line 11, after "R.S. 17:154.1(A)(3)" and before "hereby" change "is" to "and (4) are"

AMENDMENT NO. 3

On page 2, delete line 18 and insert the following:

"(4) Effective for the 2002-2003 school year, the provisions of Paragraph (1) of this Subsection shall not be applicable to any city, parish, or other local public school system in any parish having a population of at least four hundred seventy-five thousand persons according to the latest federal decennial census and which for the 2002-2003 school year cannot meet the specified minimum requirements for instructional time due to the school system, pursuant to school board action, providing professional development activities during the school day for teachers in every school in the system and the reduced instructional time does not exceed one hundred eighty minutes."

* * *

Senator Chaisson moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Dean
Total—1

ABSENT

Lambert
Total—1

The Chair declared the amendments were adopted.

The bill was read by title. Senator Gautreaux moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lentini	Ullo
Fontenot	Malone	
Total—35		

NAYS

Dean
Total—1

ABSENT

Mr. President Bean Lambert
Total—3

The Chair declared the amended bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Ellington asked that House Bill No. 551 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 551—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 9:2772(A) and (C) and to repeal R.S. 9:2772(D), relative to peremptive periods for filing actions involving deficiencies in surveying, design, supervision, or construction of immovables; to provide for periods within which to file certain actions; to repeal obsolete provision relative to prescription of actions; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Fields
Total—1

ABSENT

Mr. President Lambert
Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Chaisson asked that House Bill No. 1812 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1812—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 9:2796.2, relative to liability for damages; to provide for certain causes of action related to bonfire presentations on the Mississippi River levee; to provide for permits; to provide for certain restrictions; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 1812 by Representative Fauchaux

AMENDMENT NO. 1

On page 2, after line 26, insert the following:

June 18, 2003

"E. Notwithstanding any other provisions of law to the contrary, sponsors who comply with all the provisions and requirements of this Section shall be limited to five hundred thousand dollars in liability per person."

Senator Chaisson moved adoption of the amendments.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones, B
Adley	Ellington	Michot
Bajoie	Fields	Mount
Barham	Hines	Romero
Bean	Holden	Schedler
Boissiere	Hollis	Tarver
Cain	Hoyt	Theunissen
Chaisson	Irons	Thomas
Dardenne	Johnson	Ullo
Total—27		

NAYS

Dean	Jones, CD	Marionneaux
Fontenot	Lentini	McPherson
Gautreaux	Malone	Smith
Total—9		

ABSENT

Cravins	Heitmeier	Lambert
Total—3		

The Chair declared the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

NAYS

Marionneaux
Total—1

ABSENT

Heitmeier	Lambert
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Holden asked that House Bill No. 1839 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1839—

BY REPRESENTATIVES BAYLOR AND L. JACKSON
AN ACT

To enact Children's Code Article 423(C)(6), relative to the authority of hearing officers in juvenile court; to authorize hearing officers to hear and make recommendations on all restraining orders filed in accordance with Children's Code Articles 1569 and 1570; and to provide for related matters.

The bill was read by title. Senator Holden moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—37		

NAYS

Total—0

ABSENT

Heitmeier	Lambert
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Dardenne asked that House Bill No. 71 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 71—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:443.1(B), 443.2(7), 444(I), 445(A)(3) and (4), and 464(C)(4), relative to committees of recognized political parties; to provide with respect to the applicability of provisions of law relative to the establishment, composition, apportionment, and election of, qualifying fees for, and vacancies on such committees; to provide with respect to the number and apportionment of state central committees; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lentini	Ulló
Total—36		

NAYS

Total—0

ABSENT

Gautreaux	Heitmeier	Lambert
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Gautreaux asked that House Bill No. 560 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 560—

BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To enact R.S. 34:851.36, relative to boating; to require boating safety courses for persons operating certain motorboats; to provide penalties for violations; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux	Mount
Bean	Hines	Romero
Boissiere	Holden	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, CD	Thomas
Dean	Lentini	Ulló
Dupre	Malone	
Ellington	Marionneaux	
Total—34		

NAYS

Adley
Total—1

ABSENT

Heitmeier	Jones, B
Hollis	Lambert
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Fontenot asked that House Bill No. 774 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 774—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 48:281, relative to state highways; to prohibit closure of a lane of a state highway for landscaping or maintenance projects during peak traffic hours; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed House Bill No. 774 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 10, after “closure” insert “or blockage”

AMENDMENT NO. 2

On page 1, line 14, after “close” insert “or may authorize the blocking of”

AMENDMENT NO. 3

On page 2, after line 8, insert the following:

“C. Whoever violates the provisions of this Section shall be assessed a fine not to exceed five hundred dollars per occurrence.”

On motion of Senator Fontenot, the amendments were adopted.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed House Bill No. 774 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 2, after “highways;” delete the remainder of the line and insert “to require certain landscaping or roadside maintenance projects to be performed during certain”

AMENDMENT NO. 2

On page 1, delete line 3

AMENDMENT NO. 3

On page 1, line 4, after “exceptions;” insert “ to provide relative to certain interstate construction or maintenance projects; to provide relative to penalties for violations;”

AMENDMENT NO. 4

On page 1, line 9, after "A" insert "(1)(a)", after "landscaping or" delete the remainder of the line and insert "roadside maintenance project performed by department employees, contractors, or pursuant to a permit issued by the department, that requires the"

AMENDMENT NO. 5

On page 1, line 10, after "closure" insert "or blockage"

AMENDMENT NO. 6

On page 1, line 11, after "landscaping or" insert "roadside" at the end of the line delete "not"

AMENDMENT NO. 7

On page 1, line 12, after "performed" delete the remainder of the line and delete line 13 and insert "during non-peak traffic hours"

AMENDMENT NO. 8

On page 1, between lines 13 and 14, insert the following:

"(b) Whoever violates the provisions of this Paragraph shall be assessed a fine not to exceed five hundred dollars per occurrence.

(2) Notwithstanding the provisions of Paragraph (A) of this Subsection, any construction or maintenance project which requires the temporary closure of a lane on a controlled access principal arterial interstate shall be in compliance with the provisions of Subsection C of this Section."

AMENDMENT NO. 9

On page 1, line 14, after "B." change "However" to "Except as provided in Subsection C of this Section" and after "engineer" insert "or assistant secretary for operations"

AMENDMENT NO. 10

On page 1, line 15, after "highway" insert ", which is not a controlled access principal arterial interstate."

AMENDMENT NO. 11

On page 2, after line 8, insert the following:

"C.(1)(a) Notwithstanding any other provision of this Section, on any construction or maintenance project which requires the temporary closure of a lane on a controlled access principal arterial interstate, the department shall perform a traffic queue analysis and where the analysis determines a potential for traffic which may result in undo hardship or significant delay to the motoring public, the department shall ensure, that such construction or maintenance work is performed during non-peak hours, including night work between the hours of 8 p.m. and 6 a.m. and weekends, unless specific traffic studies determine that such non-peak hour work is not feasible. On projects where the department has found non-peak work feasible and provides an incentive to construct expeditiously, the contractor shall perform non-peak work or provide just cause for failure to perform non-peak work in order to qualify for or earn the incentive to construct expeditiously.

(b) When the department determines that any construction or maintenance project which requires the temporary closure of a lane as provided under the provisions of this Subsection, whether performed during non-peak work hours or not, will have the potential of causing significant traffic delays or undue hardship to the public using such highway, advance signing shall be posted on the right of way of such highway at a location in advance of the last exit prior to the traffic buildup in order to allow the operator of a vehicle to exit the highway and avoid such buildup. Such signing shall indicate that there is traffic congestion ahead and such exit is the last opportunity for exiting the highway before such congestion.

(2) When the department determines that a construction or maintenance project is not feasible to be performed during non-peak work hours, the department shall report such determination in compliance with the provisions of R.S. 48:279(B)."

On motion of Senator Fontenot, the amendments were adopted.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, CD	Theunissen
Dupre	Lentini	Thomas
Fields	Malone	Ullo
Fontenot	Marionneaux	
Total—32		

NAYS

Dean
Total—1

ABSENT

Mr. President	Ellington	Jones, B
Dardenne	Heitmeier	Lambert
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reconsidering the vote on House Bill No. 774 at this time.

Reconsideration

On motion of Senator Adley, pursuant to the notice just given, the vote by which the following bill just passed was reconsidered.

HOUSE BILL NO. 774—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 48:281, relative to state highways; to prohibit closure of a lane of a state highway for landscaping or maintenance projects during peak traffic hours; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith

Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Mr. President	Dean
Total—2	

ABSENT

Heitmeier	Lambert
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Fontenot asked that House Bill No. 1016 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1016—

BY REPRESENTATIVES DEVILLIER AND HEATON
AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(introductory paragraph), relative to eligibility for intensive parole supervision under the supervision of the Department of Public Safety and Corrections; to provide for eligibility of persons convicted of certain controlled dangerous substances; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Lambert
Heitmeier	Romero
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Barham asked that House Bill No. 1137 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1137—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 56:103(B) and (C)(1) and 104(A)(3) and (4) and to repeal R.S. 56:140, to authorize the taking of bobcats and foxes under a big game hunting license; and to provide for related matters.

Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Engrossed House Bill No. 1137 by Representative Townsend

AMENDMENT NO. 1

On page 2, at the end of line 4, insert the following: "Notwithstanding any other provision law to the contrary, any person finding any bobcat or fox on his premises which is harassing, threatening, wounding, or killing livestock, may kill such bobcat or fox without obtaining a license as required by the provisions of Title 56 of the Louisiana Revised Statutes of 1950."

Senator Gautreaux moved adoption of the amendments.

Senator Barham objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Holden	Marionneaux
Chaisson	Johnson	Mount
Fields	Jones, CD	Schedler
Total—12		

NAYS

Barham	Ellington	McPherson
Bean	Fontenot	Michot
Boissiere	Hines	Romero
Cain	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Jones, B	Thomas
Dupre	Lentini	Ullo
Total—24		

ABSENT

Mr. President	Heitmeier	Lambert
Total—3		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fontenot	Michot
Bean	Hines	Romero
Dardenne	Hollis	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Thomas
Ellington	Lentini	
Fields	McPherson	
Total—19		

NAYS

Mr. President	Gautreaux	Marionneaux
Adley	Holden	Mount
Bajoie	Hoyt	Schedler
Boissiere	Irons	Theunissen
Cain	Johnson	Ullo
Chaisson	Malone	
Total—17		

ABSENT

Cravins	Heitmeier	Lambert
Total—3		

The Chair declared the bill failed to pass. Senator Adley moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Messages from the House

The following Messages from the House were received and read as follows:

SENATE BILL NO. 603—
BY SENATOR BOISSIERE**AN ACT**

To amend and reenact R.S. 11:1137, relative to the Louisiana School Employees' Retirement System; to provide with respect to the purchase of service by any active, contributing member of the retirement system; to establish the procedure for such purchases; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 706—
BY SENATOR IRONS**AN ACT**

To enact R.S. 17:406.6, relative to parental involvement in schools; to provide for the establishment of a demonstration program in certain school systems; to provide for the selection of participating schools; to provide for the definition, qualification, selection and duties of an independent parent review board; to provide relative to the evaluation of parental involvement programs; to require a report of findings to the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 522—
BY SENATOR C. JONES**AN ACT**

To amend and reenact Code of Criminal Procedure Art. 926.1 (A)(1), (H)(3), and (K) and R.S. 15:151.2(G) and to enact Code of Criminal Procedure Art. 926.1(A)(3) and 930.7(D), relative to post conviction relief; to provide relative to DNA testing; to extend the period of time in which an application for post conviction relief through DNA testing can be made; to require appointment of counsel for an indigent petitioner for such relief; to create the Court Appointed Counsel for Post-Conviction Relief for Indigents in Non-Capital Cases Fund; to place such fund under the authority of the Indigent Defense Assistance Board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 98—
BY SENATOR LENTINI**AN ACT**

To amend and reenact R.S. 14:63 and to repeal R.S. 14:63.1, 63.2, 63.5, 63.6, 63.7, 63.8, 63.9, 63.10, and 63.12, relative to criminal trespass; to provide for the crime of unauthorized entry; to provide for penalties; to provide exemptions; to provide for the limitation of liability of owners, lessees, and custodians; to delete certain specific types of crimes of trespass; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 72—
BY SENATOR DUPRE**AN ACT**

To amend and reenact R.S. 15:307(B), relative to ignition interlock devices; to provide relative to the installation of ignition interlock devices as a requirement of probation for operating a vehicle while intoxicated; to prohibit the mail order purchase of such a device; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 480—
BY SENATOR CHAISSON**AN ACT**

To amend and reenact R.S. 15:542.1(H)(1) and 572(B), relative to sex offenses; to provide relative to required registration of sex offenders; to limit certain exemptions from such registration to a pardon by the governor; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 295—
BY SENATOR DARDENNE**AN ACT**

To amend and reenact Code of Criminal Procedure Art. 571.1 and 572 and to enact Code of Criminal Procedure Art. 572.1, relative to time limitations of prosecution; to repeal such limitations on certain offenses under certain conditions; to provide for definitions; to provide for retroactive application of provisions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 424—
BY SENATOR CHAISSON**AN ACT**

To enact R.S. 27:302(E), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specifications of devices; to provide for the scheduling of video poker games with no minimum wager; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 427—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:822(E), relative to Teachers' Retirement System of Louisiana; to provide with respect to election procedures; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 477—
BY SENATOR CHAISSON

AN ACT

To enact R.S. 27:301(B)(16) and 302(A)(5)(p), relative to the Video Draw Poker Devices Control Law; to provide with respect to video draw poker; to provide for definitions; to provide for description and specifications; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 425—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:447, 448, 449, 450 and 451, and to enact R.S. 11:451.1, 451.2, 451.3 and 451.4, relative to the Louisiana State Employees' Retirement System; to provide for self-directed investment funds in the Deferred Retirement Option Plan and to alter other provisions of the plan to be compatible with the changes in the plan; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 398—
BY SENATORS FONTENOT, IRONS, MOUNT, BAJOEI AND HINES

AN ACT

To enact R.S. 17:17, relative to the State Department of Education; to require the employment of a physical education coordinator; to provide for recommendations regarding such coordinator; to require the posting of a state physical activity plan to the department website; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 426—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1902(11), 1903(H), 1928(B)(1), 1932(A) and (B), and 1976, relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to the method used to calculate overtime; to provide with respect to plans for extending member benefits; to provide with respect to retirees in elected positions; to provide with respect to the mode of payment options; to provide with respect to employee contribution rate; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 844—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 77—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 26:81(C), and (D) and 281(C), (D) and (F) and to enact R.S. 17:405(A)(1)(h) and (i), and (4), relative to the status and location of licensed day care centers; to provide relative to the proximity of licensed day care centers to alcohol service providers; to place such day care centers within drug free zones; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 802—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:315.14, relative to child support; to provide an exception to the mandatory minimum payment in certain cases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1111—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to public contracts; to provide that a preference be given to products printed in Louisiana; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1011—
BY SENATORS MICHOT AND SCHEDLER

AN ACT

To amend and reenact R.S. 39:1496.1(A) and (B) and to enact R.S. 39:1496.1(E), relative to performance based contracts; to provide for review, approval, and oversight of such contracts; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1126—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 51:2453(1)(a)(i)(cc), relative to the quality jobs program; to provide for the percentage of health insurance premium to be paid by the employer for certain employees in order to qualify under the "Louisiana Quality Jobs Program Act"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 552—
BY SENATOR C. JONES

AN ACT

To amend and reenact Children's Code Art. 903(A), relative to delinquency; to provide with respect to disposition hearings; to provide that judges shall not base any judgment of disposition of a juvenile on certain factors; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 602—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1139, relative to the Louisiana School Employees' Retirement System; to provide for purchase of service credit for service as "employee" with an out-of-state school board; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 660—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 14:95(G)(3)(a), relative to offenses affecting the public safety; to provide with respect to the illegal carrying of weapons; to provide for certain exemptions from the prohibition of carrying concealed weapons for active and retired reserve or auxiliary law enforcement officers who are qualified annually by the Council on Peace Officer Standards and Training; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 511—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 40:961(8) and 967(F)(3), relative to controlled dangerous substances; to provide relative to the penalties for possession of GHB (gamma hydroxybutyric acid) and analogues of GHB to eliminate inaccurate references to Schedule II(D)(2); to provide relative to the definition of a controlled substance analogue; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 636—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:153(A), relative to the Louisiana State Employees' Retirement System; to authorize the receipt of service credit for any legislator serving on January 1, 1997, who is a military retiree and a member of the system; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 281—
BY SENATOR BOISSIERE AND REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 11:1307(A)(3), relative to the State Police Pension and Retirement System; to provide with respect to member benefits; to provide with respect to a retirement benefit longevity increase for members who participated in the Deferred Retirement Option Plan on or before June 30, 2003, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remained in such continuous employment on July 1, 2003; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 304—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Arts. 3603.1(A), 3604(C), 3607.1(A) and (B), and 3610, Code of Criminal Procedure Arts. 29(B), 30, 327.1, 335.1(A), 871.1 and 895(L)(1), R.S. 9:366 and 372(A), R.S. 13:4243(B) and 4248(A) and (C), R.S. 14:79(A)(1) and (2) and (E), R.S. 46:2135(A)(2), 2136(A)(2), 2136.2(A), (B) and (F), the introductory paragraph of 2140, 2140(1) and (2) and to enact R.S. 9:372.1, R.S. 46:1842(9)(d) and 2151(C), all relative to domestic violence; to provide for payment of costs for a peace bond and security for a temporary restraining order or preliminary injunction by a victim of domestic violence; to provide for filing and transmittal of Uniform Abuse Prevention Orders; to provide for the definition of dating violence; to provide for protective order relief relative to possession of the family home; to provide for the duties of law enforcement officers relative to domestic abuse; to provide for injunctions against harassment; to delete certain notice requirements in

protective order proceedings; to provide relative to the violation and enforcement of foreign protective orders; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 303—
BY SENATORS MOUNT AND SCHEDLER

AN ACT

To amend and reenact Title V of the Children's Code, to be comprised of Articles 501 and 502, 507 through 514, 521 through 526, and 531 through 533; and to repeal Children's Code Article 503, relative to services to families; to provide for the use of multidisciplinary investigative teams as a response to the investigation and disposition of cases of child abuse within each judicial district; to provide for definitions; to provide for the membership of each team; to provide for the development and content of interagency protocols for each team for the investigation of allegations of child abuse; to provide for the qualifications of a forensic interviewer of children; to provide for the adoption of a confidentiality policy for a multidisciplinary team; to provide for immunity from civil or criminal liability for a team member; to provide for the establishment of child advocacy centers to encourage agency cooperation and to expedite the resolution of abuse allegations; to establish the responsibilities, confidentiality policy and immunity from civil or criminal liability for the child advocacy centers; to revise certain statutory provisions regarding the Children's Advocacy Clearinghouse; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 481—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302 (A)(5)(i), relative to the Video Draw Poker Devices Control Law; to provide with respect to the denomination of bills a video draw poker device accepts; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 502—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:43(A)(1), relative to the crime of simple rape; to revise one of a set of circumstances that makes an act of sexual intercourse deemed to be without lawful consent; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 983—
BY SENATOR DARDENNE AND REPRESENTATIVES JOHNS AND WALSWORTH

AN ACT

To amend and reenact Children's Code Art. 1015(3); relative to termination of parental rights; to provide for the termination of parental rights of parents who have been convicted of sexually abusing their children; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1024—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:40.9(A), and to enact R.S. 56:10(B)(12), relative to the Conservation Fund; to create the enforcement emergency situation response account as a special account in the fund; to provide for the deposit of monies into the

account and for the use of such monies for enforcement purposes; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 235—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 17:1186(B), relative to leaves of absence for teachers; to increase the maximum duration of leave without pay to be granted to certain employees; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 749—

BY SENATOR HAINKEL AND REPRESENTATIVES HEATON, MURRAY AND SCALISE

AN ACT

To enact R.S. 25:318, relative to development funding for the arts and entertainment industry; to create the Louisiana Arts and Entertainment Industry Development Fund as a special fund in the state treasury and to provide for the deposit of certain monies into the fund; to provide for its investment and use; to provide for duties and authorities of the Louisiana Economic Development Corporation; to establish and provide with respect to a program for development and promotion of certain music enterprises; to provide for rulemaking; to provide funding qualification requirements; to provide for annual reports; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1028 (SUBSTITUTE FOR SENATE BILL 321 BY
SENATOR LENTINI) —

BY SENATOR LENTINI

AN ACT

To enact R.S. 33:2218.2(C)(8)(d), relative to law enforcement officers; to provide relative to supplemental pay for such persons; to provide for eligibility of certain elected police chiefs to receive such compensation; to provide for an effective date for the initiation of such compensation; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1121—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 47:1856(E) and 2110(A)(2), and Section 2 of Act No. 1149 of the 2001 Regular Session, relative to ad valorem property tax; to provide with respect to certain ad valorem taxes which are in dispute and payment of such taxes made under protest; to provide for notice in matters where the assessments of certain ad valorem taxes are in dispute and payment of such taxes is made under protest; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 840—

BY SENATOR JOHNSON AND REPRESENTATIVE SWILLING

AN ACT

To enact R.S. 9:1123.115.1, relative to condominiums; to provide for the collection of utilities by local governmental entities; to authorize certain sales involving abandoned units; to authorize certain donations of abandoned or blighted property units by municipalities or parishes; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1115—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(E) and (F)(1)(a)(i) and 1857(B)(2) and Section 2 of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property taxes paid under protest; to provide with regard to credits and refunds of ad valorem property taxes; to provide with regard to the use of certain tax funds; to provide for a special effective date and the application of the Act to certain payment; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 207—

BY SENATORS BOISSIERE AND HAINKEL AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 14:27(D)(1) and to enact R.S. 14:27(E), relative to attempted crimes; to provide relative to attempts of certain crimes; to increase penalties for such attempts when the victim is a peace officer; to define peace officer; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Hainkel asked that Senate Bill No. 224 be called from the Calendar at this time.

SENATE BILL NO. 224—

BY SENATOR HAINKEL

A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to authorize the legislature to limit the extent of recovery for the taking or, or loss or damage to, rights affected by certain coastal wetland activities; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Hainkel, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Hainkel asked that Senate Bill No. 267 be called from the Calendar at this time.

HOUSE BILL NO. 267—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 47:302.23(B), relative to the hotel/motel sales tax dedications in Vermilion Parish; to correct the name of an entity to which funds are allocated; and to provide for related matters.

On motion of Senator Hainkel, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Ellington asked that Senate Bill No. 276 be called from the Calendar at this time.

SENATE BILL NO. 276—

BY SENATORS ELLINGTON AND DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials; to provide for the availability of jury trials in certain circumstances; to provide for limitations; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Ellington asked that Senate Bill No. 851 be called from the Calendar at this time.

SENATE BILL NO. 851—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact Code of Civil Procedure Art. 1732(1), relative to jury trials; to provide for the limitations on the availability of jury trials; to reduce the monetary amount in controversy necessary to have a jury trial; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and withdrawn from the files of the Senate.

SENATE BILL NO. 853—

BY SENATOR ELLINGTON

AN ACT

To enact Chapter 34 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5400 through 5414, relative to particular classes of actions and cases; to provide for an inactive docket registry; to provide for medical criteria for certain civil claims; to provide for civil claims involving exposure to asbestos; to provide for definitions; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and withdrawn from the files of the Senate.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1968.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1944 by Representative Montgomery, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 201 by Representative Walker, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1934 by Representative Baldone, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1331 by Representative Winston, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 995 by Representative LaFleur, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1043 by Representative Fauchaux, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 501 by Representative Swilling, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 622 by Representative Pinac, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 713 by Representative Hutter, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 927 by Representative Guillory, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1009 by Representative Schwegmann, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 876 by Representative Johns, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 18, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 905 by Representative Schneider, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

June 17, 2003

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

HOUSE BILL NO. 2 —

BY REPRESENTATIVES HAMMETT AND LEBLANC AND SENATORS BARHAM AND DARDENNE

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAY DARDENNE
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 18, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

SENATE RESOLUTION NO. 85—

BY SENATOR MCPHERSON

A RESOLUTION

To amend and readopt Senate Rule No. 13.21 of the Rules of Order of the Senate, to provide for the procedure to conduct conference committees.

Reported with amendments.

SENATE RESOLUTION NO. 86—

BY SENATOR MCPHERSON

A RESOLUTION

To amend and readopt Senate Rule Nos. 10.17(A) and (B) of the Rules of Order of the Senate, relative to the passage of legislative instruments in the Senate; to provide for returning a legislative instrument to the calendar.

Reported favorably.

SENATE RESOLUTION NO. 87—

BY SENATOR MCPHERSON

A RESOLUTION

To adopt Senate Rule No. 13.63(C) of the Rules of Order of the Senate, to provide for the reporting of legislative instruments by a committee.

Reported favorably.

SENATE RESOLUTION NO. 88—

BY SENATOR MCPHERSON

A RESOLUTION

To amend and readopt Senate Rule No. 13.21 of the Rules of Order of the Senate, relative to necessity of certain number of signatures on a conference committee report prior to consideration.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 116—

BY SENATOR ULLO

A CONCURRENT RESOLUTION

To urge and request the president of the Senate, the speaker of the House of Representatives and certain members of the Legislative Audit Advisory Council fill the vacancy in the office of legislative auditor.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 208—

BY REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To urge and request the governor elected in 2003 to create a commission to study the feasibility, potential effectiveness, and possible implementation of a program to enhance ethical behavior in state employees.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 212—

BY REPRESENTATIVE LANCASTER

A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and to function as a joint committee to study the exceptions to the public records laws which are applicable to private nonprofit corporations which support public higher education institutions, and to report the findings of the joint committee to the legislature prior to the convening of the 2004 Regular Session.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 243—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To recognize the distinct group of legislators representing in whole or in part the parishes of St. Tammany, Tangipahoa, and Washington as the Northshore Legislative Delegation.

Reported favorably.

HOUSE BILL NO. 43—

BY REPRESENTATIVE STRAIN

AN ACT

To enact R.S. 42:1113(D)(2)(f), relative to certain prohibited contractual arrangements; to allow a legislator, person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, or any corporation, partnership, or other legal entity in which such a person owns any interest to donate certain professional services to public entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 332—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 42:1123(24), relative to contractors; to provide relative to governmental ethics; to provide for exceptions; to provide relative to the members of the State Licensing Board for Contractors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 360—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 42:1119(C)(5), relative to the Code of Governmental Ethics; to provide for reemployment of retirees whose employment complies with provisions of such code relative to nepotism on the date of retirement; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 443—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit the employment of allied health professionals who are members of the immediate family of a member of the parish governing authority or a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public trust authorities; to provide relative to the employment of physicians and registered nurses who are immediate family

members of such persons; to provide limitations; to provide for recusal; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 540—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact R.S. 46:333(D), relative to operation of concessions in public buildings; to provide for operation of concessions by blind persons; to provide for the exemption of certain facilities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 601—

BY REPRESENTATIVES BOWLER, BRUNEAU, LANCASTER, PITRE, SNEED, AND WALSWORTH

A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to add Article XII, Section 15, relative to administrative law; to authorize the legislature to provide by law for the creation, duties, and powers of a system of administrative law, for the employment, qualifications, and authority of administrative law judges, and with respect to appeals by governmental agencies seeking review of administrative decisions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 783—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit any local governing authority to appoint any one of its members to certain boards, commissions, and entities under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 787—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit the Metropolitan Council for the city of Baton Rouge and the parish of East Baton Rouge to appoint any one of its members to certain boards, commissions, and entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1052—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 44:4(15), relative to public records; to provide for the applicability of the public records law exception regarding certain records of the office of risk management and similar records of certain municipalities and parishes; to provide for the application of the exception to an attorney representing the state, municipality, or parish; to provide that members and committees of the legislature may obtain certain information from the office of risk management for certain purposes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1287—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 42:1123(32), relative to the Code of Governmental Ethics; to allow certain volunteer firemen and law enforcement officers and legal entities in which they have any interest to engage in certain transactions under jurisdiction of their agencies; to provide restrictions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1416—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 42:1123(22), relative to exemptions from the conflicts of interest laws; to provide for an exemption for mayors and members of a governing authority to enter in certain transactions in municipalities with a population of three thousand five hundred or less; to require a municipality to submit a plan for such transactions to the Board of Ethics for approval; to provide for the requirements of such plan; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1568—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 17:3396.4(A)(2), (3), (4), (5), (6), (7), (9), and (11), relative to the board of directors of the Research Park Corporation; to allow certain members to have designees; to provide for the election of certain members; to allow such members certain limited recusal under certain circumstances; to provide for the application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1679—

BY REPRESENTATIVE BROOME

AN ACT

To enact R.S. 42:1123(32), relative to exceptions to the Code of Governmental Ethics; to provide for any person who has a contract for advertising services with the Department of Culture, Recreation and Tourism to enter into contracts with any other person who engages in a transaction with the Department of Culture, Recreation and Tourism; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1804—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 42:1119(C)(5), relative to nepotism; to provide that nepotism provisions of the Code of Governmental Ethics shall not apply to the employment of volunteer firefighters or to decisions regarding such employment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1815—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 42:1123(31) and to enact R.S. 42:1119(2)(c), relative to governmental ethics; to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to

provide for an exception to the nepotism provisions of the code of ethics for uncertified teachers in certain circumstances; to provide limitations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1837—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 42:1123(18), relative to governmental ethics; to permit licensed physicians who are cardiologists and who are serving on the board of commissioners of hospital service districts in parishes with a population of forty-five thousand or less to contract with a hospital over which the board exercises jurisdiction; to allow such a physician board member to have an ownership interest in an entity that contracts with the hospital over which the board exercises jurisdiction; to provide for such member's recusal from certain transactions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Dardenne asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 2 —

BY REPRESENTATIVES HAMMETT AND LEBLANC AND SENATORS BARHAM AND DARDENNE

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Re-Engrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 14, delete lines 28 and 29, and insert the following:

"Payable from State General Fund (Direct) \$113,250"

AMENDMENT NO. 2

On page 15, line 47, change "\$8,700,000" to "\$4,700,000"

AMENDMENT NO. 3

On page 15, line 51, delete "Nonrecurring Revenues"

AMENDMENT NO. 4

On page 16, delete lines 36 through 42

AMENDMENT NO. 5

On page 18, delete lines 5 and 6, and insert the following:

"Payable from State General Fund (Direct) \$113,250"

AMENDMENT NO. 6

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44th DAY'S PROCEEDINGS

On page 18, line 9, change "\$2,775,000" to "\$2,738,250"

AMENDMENT NO. 7

On page 20, delete lines 49 and 50, and insert the following:

"Payable from State General Fund (Direct) \$113,250"

AMENDMENT NO. 8

On page 20, line 54, change "\$6,200,000" to "\$6,163,250"

AMENDMENT NO. 9

On page 22, delete lines 46 and 47, and insert the following:

"Fund - Regular \$108,400,000
Total \$557,400,000"

AMENDMENT NO. 10

On page 23, delete lines 6 through 11, and insert the following:

"(105)Secretary's Emergency Fund for
Bridge Damages, Other Reimbursements,
Federal Funds, and Opportunity Grants Subject
to the Provisions of R.S. 48:232
(Statewide)
Payable from Fees and Self-Generated Revenues \$15,000,000
Payable from Federal Funds and Grants \$5,000,000
Total \$20,000,000"

AMENDMENT NO. 11

On page 25, delete lines 34 and 35, and insert the following:

"Payable from State General Fund (Direct) \$ 22,650"

AMENDMENT NO. 12

On page 25, delete lines 48 and 49, and insert the following:

"Payable from State General Fund (Direct) \$75,500"

AMENDMENT NO. 13

On page 25, line 53, change "\$5,350,000" to "\$5,325,500"

AMENDMENT NO. 14

On page 26, line 5, change "\$24,500,000" to "\$20,000,000"

AMENDMENT NO. 15

On page 26, line 8, change "\$24.5" to "\$20.0"

AMENDMENT NO. 16

On page 29, delete lines 12 and 13, and insert the following:

"Payable from State General Fund (Direct) \$302,000"

AMENDMENT NO. 17

On page 29, line 19, change "\$4,000,000" to "\$3,902,000"

AMENDMENT NO. 18

On page 31, line 8, change "\$5,000,000" to "\$6,700,000"

AMENDMENT NO. 19

On page 31, line 11, change "\$6,700,000" to "\$8,400,000"

AMENDMENT NO. 20

On page 32, delete line 14

AMENDMENT NO. 21

On page 32, line 18, change "\$5,385,000" to "\$2,385,000"

AMENDMENT NO. 22

On page 42, delete lines 32 through 36, and insert the following:

"Payable from Conservation Fund \$1,300,000"

Payable from Louisiana Duck Stamp Fund \$950,000
Payable from Wildlife Habitat Natural
Heritage Trust Fund \$1,750,000"

AMENDMENT NO. 23

On page 51, delete lines 49 and 50, and insert the following:

"(433) Master Planning for Charity Hospital (Orleans)"

AMENDMENT NO. 24

On page 56, between lines 10 and 11, insert the following:

"() Bicycle/Pedestrian Thoroughfare I and II,
Planning and Construction
(Lincoln)
Payable from Federal Funds \$307,230
Payable from Fees and Self-Generated
Revenues \$16,170
Total \$323,400"

AMENDMENT NO. 25

On page 67, delete lines 5 through 8, and insert the following:

"Payable from State General Fund (Direct) \$7,300,000
Payable from State General Fund (Direct)
Nonrecurring Revenues \$4,200,000
Total \$11,500,000"

AMENDMENT NO. 26

On page 67, delete lines 33 through 41

AMENDMENT NO. 27

On page 68, delete lines 35 through 40

AMENDMENT NO. 28

On page 69, line 46, change "Launch," to "Launch and Breakwater,"

AMENDMENT NO. 29

On page 73, delete lines 10 and 11, and insert the following:

"Payable from State General Fund (Direct) \$113,250"

AMENDMENT NO. 30

On page 74, between lines 39 and 40, insert the following:

"50/J05 AVOYELLES PARISH

() Bayou Natchitoches Road Upgrade,
Planning and Construction
(Avoyelles)
Payable from State General Fund (Direct) \$200,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 31

On page 74, between lines 44 and 45 insert the following:

"Payable from State General Fund (Direct) \$300,000"

AMENDMENT NO. 32

On page 74, line 48, change "\$650,000" to "\$950,000"

AMENDMENT NO. 33

On page 78, delete lines 31 and 32, and insert the following:

"Payable from State General Fund (Direct) \$98,150"

AMENDMENT NO. 34

On page 78, line 36, change "\$280,000" to "\$248,150"

AMENDMENT NO. 35

On page 81, delete lines 33 and 34, and insert the following:

"Payable from State General Fund (Direct) \$188,750"

AMENDMENT NO. 36

On page 81, delete lines 44 and 45, and insert the following:

"Payable from State General Fund (Direct) \$56,625"

AMENDMENT NO. 37

On page 82, delete lines 4 and 5, and insert the following:

"Payable from State General Fund (Direct) \$113,250"

AMENDMENT NO. 38

On page 84, delete lines 19 and 20, and insert the following:

"Payable from State General Fund (Direct) \$313,008"

AMENDMENT NO. 39

On page 85, delete lines 4 and 5, and insert the following:

"Payable from State General Fund (Direct) \$141,563"

AMENDMENT NO. 40

On page 88, delete lines 13 and 14, and insert the following:

"Payable from State General Fund (Direct) \$113,250"

AMENDMENT NO. 41

On page 89, after line 51, insert the following:

"(735) St. Tammany West Chamber of Commerce
Building, Planning and Construction
(\$300,000 In-Kind and/or Non-State Match)
(St. Tammany)
Payable from State General Fund (Direct) \$50,000"

AMENDMENT NO. 42

On page 92, delete lines 6 and 7, and insert the following:

"Payable from State General Fund (Direct) \$75,500"

AMENDMENT NO. 43

On page 92, line 10, change "\$150,000" to "\$125,500"

AMENDMENT NO. 44

On page 92, delete lines 16 and 17, and insert the following:

"Payable from State General Fund (Direct) \$75,500"

AMENDMENT NO. 45

On page 92, line 20, change "\$150,000" to "\$125,500"

AMENDMENT NO. 46

On page 92, delete lines 25 and 26, and insert the following:

"Payable from State General Fund (Direct) \$75,500"

AMENDMENT NO. 47

On page 92, line 29, change "\$800,000" to "\$775,500"

AMENDMENT NO. 48

On page 93, between lines 41 and 42, insert the following:

"50/M09 ARCADIA

() Downtown City Park and Restroom Facilities,
Acquisitions, Planning and Construction
(In-Kind and/or Non-State Match Required)

(Bienville)

Payable from State General Fund (Direct) \$45,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 49

On page 93, between lines 41 and 42, insert the following:

"50/M14BAKER

() Equipment for Baker Police, Acquisitions
(Non-State Match Required)
(East Baton Rouge)
Payable from State General Fund (Direct) \$ 5,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 50

On page 95, delete lines 24 and 25, and insert the following:

"Payable from State General Fund (Direct) \$151,000"

AMENDMENT NO. 51

On page 95, line 29, change "\$1,220,000" to "\$1,171,000"

AMENDMENT NO. 52

On page 95, between lines 29 and 30, insert the following:

"50/M25 VILLAGE OF BIENVILLE

() Water Fire Hydrants Improvements,
Acquisitions and Construction
(Non-State Match Required)
(Bienville)
Payable from State General Fund (Direct) \$10,000

Pending submittal and approval of capital outlay request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 53

On page 95, delete lines 40 and 41, and insert the following:

"Payable from State General Fund (Direct) \$151,000"

AMENDMENT NO. 54

On page 95, line 44, change "\$400,000" to "\$351,000"

AMENDMENT NO. 55

On page 96, between lines 23 and 24, insert the following:

"50/M49 CLINTON

() Equipment for Clinton Police, Acquisitions
(Non-State Match Required)
(East Feliciana)
Payable from State General Fund (Direct) \$5,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 56

On page 96, between lines 23 and 24, insert the following:

"50/M50 COLFAX

() Renovation of Civic Center, Planning
and Construction
(Non-State Match Required)
(Grant)

Payable from State General Fund (Direct) \$50,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 57

On page 96, between lines 23 and 24, insert the following:

"50/M55 COTTONPORT

(798) Community Center, Renovations,
Acquisitions, Planning and Construction
(\$84,000 Non-State Match)
(Avoyelles)
Payable from State General Fund (Direct) \$125,000"

AMENDMENT NO. 58

On page 97, between lines 3 and 4, insert the following:

"50/M59 CULLEN

() Cullen Police Department, Equipment
Acquisitions
(Webster)
Payable from State General Fund (Direct) \$45,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 59

On page 97, delete lines 8 and 9, and insert the following:

"Payable from State General Fund (Direct) \$26,425"

AMENDMENT NO. 60

On page 97, line 14, change "\$380,000" to "\$371,425"

AMENDMENT NO. 61

On page 98, between lines 9 and 10, insert the following:

"50/M71 DRY PRONG

() Repair of Sewer System, Planning
and Construction
(Non-State Match Required)
(Grant)
Payable from State General Fund (Direct) \$25,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 62

On page 98, between lines 9 and 10, insert the following:

"50/M83 EUNICE

() Wastewater System, Planning and Construction
(Non-State Match Required)
(St. Landry)
Payable from State General Fund (Direct) \$100,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 63

On page 99, between lines 6 and 7, insert the following:

"() Business Park Property Acquisition and
Development
(Non-State Match Required)
(Washington)

Payable from State General Fund (Direct) \$50,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 64

On page 99, between lines 32 and 33, insert the following:

"(826) Installation of New Water Distribution
System, Planning and Construction
(\$70,000 Local Match; \$32,000 Federal Match)
(Jefferson)
Payable from State General Fund (Direct) \$50,000"

AMENDMENT NO. 65

On page 99, between lines 44 and 45, insert the following:

"Payable from State General Fund (Direct) \$150,000"

AMENDMENT NO. 66

On page 99, after line 46, insert the following:

"Total \$345,000"

AMENDMENT NO. 67

On page 100, between lines 22 and 23, insert the following:

"50/MC3 HAUGHTON

() Water Line and Fire Hydrants for Fire
Protection, Planning and Construction
(\$52,000 Non-State Match Required)
(Bossier)
Payable from State General Fund (Direct) \$40,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 68

On page 100, delete lines 28 and 29, and insert the following:

"Payable from State General Fund (Direct) \$30,200"

AMENDMENT NO. 69

On page 100, between lines 36 and 37, insert the following:

"() Equipment for Jackson Police, Acquisitions
(Non-State Match Required)
(East Feliciana)
Payable from State General Fund (Direct) \$ 5,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 70

On page 100, after line 46, insert the following:

"(836) Lafitte General Assembly/Emergency Shelter
Planning and Construction
(\$350,000 Non-State Match)
(Jefferson)
Payable from State General Fund (Direct) \$75,000"

AMENDMENT NO. 71

On page 100, after line 46, insert the following:

"(837) Lafitte Library, Planning and Construction
(Non-State Match Required)
(Jefferson)
Payable from State General Fund (Direct) \$125,000"

AMENDMENT NO. 72

On page 101, between lines 21 and 22, insert the following:

"50/MG7 LIVINGSTON

- () Drinking Water/Wastewater Expansion,
Planning and Construction
(Livingston)
Payable from the balance of State General
Fund (Direct) previously allocated under
the authority of Act 23 of 2002 for
Livingston Drinking Water Expansion
(Livingston) \$250,000"

AMENDMENT NO. 73

On page 101, between lines 30 and 31, insert the following:

"50/MH6 MADISONVILLE

- (858) Wastewater Treatment Plant Improvements,
Planning and Construction
(\$230,606 In-Kind and/or Non-State Match)
(St. Tammany)
Payable from State General Fund (Direct) \$250,000"

AMENDMENT NO. 74

On page 101, between lines 30 and 31, insert the following:

"50/MH8MANDEVILLE

- (860) Galvez Street Phase III, US 90
Outfall, Drainage Improvements, Planning
and Construction (\$554,880 Non-State Match)
(St. Tammany)
Payable from State General Fund (Direct) \$250,000"

AMENDMENT NO. 75

On page 101, between lines 41 and 42, insert the following:

- "() Recreational Park, Equipment and
Construction (\$10,000 Non-State Match)
(DeSoto)
Payable from State General Fund (Direct) \$100,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 76

On page 104, delete lines 13 and 14, and insert the following:

"Payable from State General Fund (Direct) \$188,750"

AMENDMENT NO. 77

On page 107, between lines 23 and 24, insert the following:

"50/MN9 POLLOCK

- () Renovation of Town Meeting Hall,
Planning and Construction
(Non-State Match Required)
(Grant)
Payable from State General Fund (Direct) \$75,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 78

On page 107, between lines 38 and 39, insert the following:

- "() I-10 East Rayne Interchange,
Planning and Construction

(Non-State Match Required)

(Acadia)

Payable from State General Fund (Direct) \$110,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 79

On page 108, between lines 30 and 31, insert the following:

"50/MQ6 SALINE

- () Water Tower Repairs, Planning and Construction
(Non-State Match Required)
(Bienville)
Payable from State General Fund (Direct) \$10,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 80

On page 109, delete lines 4 and 5, and insert the following:

"Payable from State General Fund (Direct) \$113,250"

AMENDMENT NO. 81

On page 109, line 9, change "\$825,000" to "\$788,250"

AMENDMENT NO. 82

On page 109, between lines 20 and 21, insert the following:

"50/MR8 SLAUGHTER

- () Equipment for Slaughter Police, Acquisitions
(Non-State Match Required)
(East Feliciana)
Payable from State General Fund (Direct) \$5,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 83

On page 110, delete lines 15 and 16, and insert the following:

"Payable from State General Fund (Direct) \$264,250"

AMENDMENT NO. 84

On page 110, between lines 22 and 23, insert the following:

"Payable from State General Fund (Direct) \$200,000"

AMENDMENT NO. 85

On page 110, line 26, change "\$200,000" to "\$400,000"

AMENDMENT NO. 86

On page 111, delete lines 24 and 25, and insert the following:

"Payable from State General Fund (Direct) \$94,375"

AMENDMENT NO. 87

On page 111, delete lines 30 and 31, and insert the following:

"Payable from State General Fund (Direct) \$245,375"

AMENDMENT NO. 88

On page 111, line 34, change "\$3,500,000" to "\$3,420,375"

AMENDMENT NO. 89

On page 111, delete lines 38 and 39, and insert the following:

"Payable from State General Fund (Direct) \$151,000"

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44th DAY'S PROCEEDINGS

AMENDMENT NO. 90

On page 111, line 43, change "\$3,000,000" to "\$2,951,000"

AMENDMENT NO. 91

On page 113, between lines 9 and 10, insert the following:

"() Baseball Complex, Planning and Construction
(Non-State Match Required)
(Winn)
Payable from State General Fund (Direct) \$50,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 92

On page 113, after line 49, insert the following:

"50/MW3 ZACHARY

() Equipment for Zachary Police, Acquisitions
(Non-State Match Required)
(East Baton Rouge)
Payable from State General Fund (Direct) \$5,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 93

On page 120, delete lines 6 and 7, and insert the following:

"Payable from State General Fund (Direct) \$75,500"

AMENDMENT NO. 94

On page 120, line 12, change "\$1,500,000" to "\$1,475,500"

AMENDMENT NO. 95

On page 121, delete lines 6 and 7, and insert the following:

"Payable from State General Fund (Direct) \$75,500"

AMENDMENT NO. 96

On page 121, line 12, change "\$1,400,000" to "\$1,375,500"

AMENDMENT NO. 97

On page 122, delete lines 31 and 32, and insert the following:

"Payable from State General Fund (Direct) \$312,570"

AMENDMENT NO. 98

On page 124, between lines 41 and 42, insert the following:

"Payable from State General Fund (Direct) \$100,000"

AMENDMENT NO. 99

On page 124, line 43, change "\$100,000" to "\$100,000"

AMENDMENT NO. 100

On page 124, after line 43, insert the following:

"Total \$200,000"

AMENDMENT NO. 101

On page 126, delete lines 48 and 49, and insert the following:

"Payable from State General Fund (Direct) \$18,875"

AMENDMENT NO. 102

On page 127, between lines 10 and 11, insert the following:

"Payable from State General Fund (Direct) \$50,000"

AMENDMENT NO. 103

On page 127, delete line 12, and insert the following:

"Priority 1 \$500,000
Total \$550,000"

AMENDMENT NO. 104

On page 128, between lines 38 and 39, insert the following:

"Payable from State General Fund (Direct) \$100,000"

AMENDMENT NO. 105

On page 128, line 42, change "\$702,000" to "\$802,000"

AMENDMENT NO. 106

On page 130, delete lines 20 and 21, and insert the following:

"Payable from State General Fund (Direct) \$188,750"

AMENDMENT NO. 107

On page 131, delete lines 6 and 7, and insert the following:

"Payable from State General Fund (Direct) \$37,750"

AMENDMENT NO. 108

On page 131, line 10, change "\$60,000" to "\$47,750"

AMENDMENT NO. 109

On page 131, delete lines 19 and 20, and insert the following:

"Payable from State General Fund (Direct) \$30,200"

AMENDMENT NO. 110

On page 131, between lines 32 and 33, insert the following:

"50/NPACE LOUISIANA

() PACE Louisiana Adult Day Health Center,
Renovations, Planning and Construction
(Non-State Match Required)
(Orleans)
Payable from State General Fund (Direct) \$100,000

Pending submittal of capital outlay request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 111

On page 134, line 6, after "facilities." insert the following: "The Commissioner of Administration may direct that any surplus cash or bond proceeds found in any Capital Outlay appropriation in this Act or any previous Capital Outlay Act, may be transferred to any of the various statewide and/or multiple parish projects for improvements for state facilities in this Act or any previous Capital Outlay Act."

AMENDMENT NO. 112

On page 136, at the end of line 18, insert "and for the Department of Wildlife and Fisheries Boating Access Program for the Berwick Boat Launch,"

AMENDMENT NO. 113

On page 136, at the end of line 23, insert the following: "Notwithstanding the provisions of Section 2 and Section 8 of Act 23 of the 2002 Regular Session of the Legislature, the \$40,000 State General Fund appropriation for the Leesville Emergency Water Well Repairs may be used for contracts awarded prior to the determination by the state treasurer that cash funding had been deposited in the Comprehensive Capital Outlay Escrow Account for this project, prior to receipt of funding, prior to the execution of a cooperative endeavor agreement, and prior to approval by Facility Planning and Control."

AMENDMENT NO. 114

On page 137, line 15, after "and" and before "may" insert "unless the Commissioner of Administration is advised by bond counsel to the State that such may violate federal tax law,"

AMENDMENT NO. 115

On page 139, line 20, after "appropriation" and before "may" insert "unless the Commissioner of Administration is advised by bond counsel to the State that such may violate federal tax law,"

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 43—

BY REPRESENTATIVE STRAIN

AN ACT

To enact R.S. 42:1113(D)(2)(f), relative to certain prohibited contractual arrangements; to allow a legislator, person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, or any corporation, partnership, or other legal entity in which such a person owns any interest to donate certain professional services to public entities; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 332—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 42:1123(24), relative to contractors; to provide relative to governmental ethics; to provide for exceptions; to provide relative to the members of the State Licensing Board for Contractors; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 360—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 42:1119(C)(5), relative to the Code of Governmental Ethics; to provide for reemployment of retirees whose employment complies with provisions of such code relative to nepotism on the date of retirement; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 443—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit the employment of allied health professionals who are members of the immediate family of a member of the parish governing authority or a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public trust authorities; to provide relative to the employment of physicians and registered nurses who are immediate family

members of such persons; to provide limitations; to provide for recusal; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 540—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact R.S. 46:333(D), relative to operation of concessions in public buildings; to provide for operation of concessions by blind persons; to provide for the exemption of certain facilities; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 601—

BY REPRESENTATIVES BOWLER, BRUNEAU, LANCASTER, PITRE, SNEED, AND WALSWORTH

A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to add Article XII, Section 15, relative to administrative law; to authorize the legislature to provide by law for the creation, duties, and powers of a system of administrative law, for the employment, qualifications, and authority of administrative law judges, and with respect to appeals by governmental agencies seeking review of administrative decisions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Re-reengrossed House Bill No. 601 by Representative Bowler

AMENDMENT NO. 1

On page 2, lines 5 and 21, after "handle" delete "all"

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 783—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit any local governing authority to appoint any one of its members to certain boards, commissions, and entities under certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 787—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit the Metropolitan Council for the city of Baton Rouge and the parish of East Baton Rouge to appoint any one of its members to

certain boards, commissions, and entities; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1052—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 44:4(15), relative to public records; to provide for the applicability of the public records law exception regarding certain records of the office of risk management and similar records of certain municipalities and parishes; to provide for the application of the exception to an attorney representing the state, municipality, or parish; to provide that members and committees of the legislature may obtain certain information from the office of risk management for certain purposes; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1052 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 7, change "members and committees of the legislature" to "the Joint Legislative Committee on the Budget"

AMENDMENT NO. 2

On page 2, line 14 after "manner" delete the remainder of the line and insert "the Joint Legislative Committee on the Budget"

AMENDMENT NO. 3

On page 2, line 15, delete "committee thereof" and after "obtaining" insert "cost"

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1287—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 42:1123(32), relative to the Code of Governmental Ethics; to allow certain volunteer firemen and law enforcement officers and legal entities in which they have any interest to engage in certain transactions under jurisdiction of their agencies; to provide restrictions; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1287 by Representative Perkins

AMENDMENT NO. 1

On page 1, lines 12, 15 and 18, before "law" insert "uncompensated"

AMENDMENT NO. 2

On page 2, line 1, before "law" insert "uncompensated"

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1416—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 42:1123(22), relative to exemptions from the conflicts of interest laws; to provide for an exemption for mayors and members of a governing authority to enter in certain transactions in municipalities with a population of three thousand five hundred or less; to require a municipality to submit a plan for such transactions to the Board of Ethics for approval; to provide for the requirements of such plan; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1568—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 17:3396.4(A)(2), (3), (4), (5), (6), (7), (9), and (11), relative to the board of directors of the Research Park Corporation; to allow certain members to have designees; to provide for the election of certain members; to allow such members certain limited recusal under certain circumstances; to provide for the application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1568 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:3396.4(A)" delete the remainder of the line and insert "(9), and"

AMENDMENT NO. 2

On page 1, line 4, after "Corporation;" delete "to allow certain members to have designees;"

AMENDMENT NO. 3

On page 1, line 10, after "R.S. 17:3396.4(A)" delete the remainder of the line and insert "(9), and (11) are"

AMENDMENT NO. 4

On page 2, delete lines 1 through 13 in their entirety

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1679—

BY REPRESENTATIVE BROOME

AN ACT

To enact R.S. 42:1123(32), relative to exceptions to the Code of Governmental Ethics; to provide for any person who has a contract for advertising services with the Department of Culture, Recreation and Tourism to enter into contracts with any other person who engages in a transaction with the Department of

Culture, Recreation and Tourism; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1804—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 42:1119(C)(5), relative to nepotism; to provide that nepotism provisions of the Code of Governmental Ethics shall not apply to the employment of volunteer firefighters or to decisions regarding such employment; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1815—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 42:1123(31) and to enact R.S. 42:1119(2)(c), relative to governmental ethics; to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to provide for an exception to the nepotism provisions of the code of ethics for uncertified teachers in certain circumstances; to provide limitations; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1815 by Representative Bruce

AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S. 42:1119(2)(c)"

AMENDMENT NO. 2

On page 1, line 6, after "psychologist," delete the remainder of the line and delete line 7 in its entirety

AMENDMENT NO. 3

On page 1, line 8, delete "certain circumstances;"

AMENDMENT NO. 4

On page 1, line 11, after "reenacted" delete the remainder of the line and delete line 12 in its entirety and insert "to read as follows:"

AMENDMENT NO. 5

On page 1, delete lines 13 through 16 in their entirety

AMENDMENT NO. 6

On page 2, delete lines 1 through 24 in their entirety

AMENDMENT NO. 7

On page 3, delete lines 1 through 3 in their entirety

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1837—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 42:1123(18), relative to governmental ethics; to permit licensed physicians who are cardiologists and who are serving on the board of commissioners of hospital service districts in parishes with a population of forty-five thousand or less to contract with a hospital over which the board exercises jurisdiction; to allow such a physician board member to have an ownership interest in an entity that contracts with the hospital over which the board exercises jurisdiction; to provide for such member's recusal from certain transactions; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Privilege Report of the Legislative Bureau

June 18, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 2 —

BY REPRESENTATIVES HAMMETT AND LEBLANC AND SENATORS BARHAM AND DARDENNE

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 18, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 125—
BY SENATOR B. JONES**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to place the appropriate signs on Interstate 20 identifying the Delta Ouachita Campus of the Louisiana Technical College and the West Ouachita Industrial Park.

SENATE CONCURRENT RESOLUTION NO. 141—

BY SENATORS HAINKEL, BAJOEI, SCHEDLER, ADLEY, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

A CONCURRENT RESOLUTION

To commend and congratulate Yvonne Roth Gelpi on the occasion of her retirement as principal of De La Salle High School, to recognize and record her accomplishments and contributions to the school, and to extend to her the best wishes of the Senate on her future endeavors.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs****ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 18, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 108—
BY SENATOR HOYT**AN ACT**

To enact Part VIII of Chapter 4 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:571.50 through 571.52, relative to district courts; to authorize each judicial district to establish job intervention programs for first-time offenders convicted of certain offenses; to provide for program administration; to provide for eligibility; to specify conditions of participation; to require each participant to enter into a probation agreement; to provide for the terms of such an agreement; to provide for the responsibilities of any participating employer; to provide for program evaluation; and to provide for related matters.

SENATE BILL NO. 146—
BY SENATOR SMITH**AN ACT**

To enact R.S. 25:213(E), relative to parish or municipal libraries; to authorize the governing authority of Winn Parish to authorize the Winn Parish library boards to expend a portion of the library maintenance tax for certain purposes; and to provide for related matters.

SENATE BILL NO. 279—
BY SENATOR DARDENNE**AN ACT**

To amend and reenact R.S. 33:9038.4(A), relative to cooperative economic development; to require the secretary of the Department of Economic Development to obtain approval of proposed economic development projects from the Joint Legislative Committee on the Budget; to require State Bond Commission approval for certain cooperative endeavor agreements; and to provide for related matters.

SENATE BILL NO. 291—

BY SENATOR SMITH AND REPRESENTATIVES FANNIN AND TOWNSEND

AN ACT

To enact R.S. 49:170.8, relative to state symbols; to provide that the annual "Uncle Earl's Hog Dog Trials" held in the city of Winnfield, Louisiana, shall be the official state "Uncle Earl's Hog Dog Trials"; to designate the fourth weekend in March of every year as "Uncle Earl's Hog Dog Trials Weekend" in the state; and to provide for related matters.

SENATE BILL NO. 414—
BY SENATOR SMITH**AN ACT**

To enact R.S. 33:441.30, relative to municipal courts; to provide that the board of aldermen of a village with a population greater than three hundred ten and less than three hundred twenty-five, shall, upon request of the mayor, appoint a court magistrate; to provide for the magistrate's duties; to provide for the magistrate's salary; and to provide for related matters.

SENATE BILL NO. 698—

BY SENATOR ULLO AND REPRESENTATIVES DURAND AND WELCH

AN ACT

To enact R.S. 40:2009.20(D), relative to abuse and neglect laws; to require hospitals to display laws which require mandatory reporting instances of abuse and neglect; to provide for such requirement to be permanently displayed in emergency rooms; and to provide for related matters.

SENATE BILL NO. 740—
BY SENATOR SCHEDLER**AN ACT**

To enact R.S. 23:1168.1(C), relative to workers' compensation; to provide with respect to liability insurance; to provide self-insurance; to provide an exception when computing security requirements for self-insured hospitals; and to provide for related matters.

SENATE BILL NO. 808—

BY SENATOR JOHNSON AND REPRESENTATIVES LUCAS, MURRAY, RICHMOND AND SWILLING

AN ACT

To enact R.S. 33:9038.24, relative to special districts; to create the Lake Forest Plaza District; to provide for the powers and duties of the district; and to provide for related matters.

SENATE BILL NO. 864—

BY SENATOR C. JONES AND REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 33:2740.51(B), (C), and the introductory paragraph of R.S. 33:2740.51(D)(1) and to enact R.S. 33:2740.51(L), relative to the Southside Economic Development District; to provide for operation of the district by a board of commissioners; to provide for the powers, duties, and function of the district; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

June 18, 2003

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 6— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 18:463(A)(2) and to enact R.S. 18:495, relative to qualifying for public office; to provide relative to notice of candidacy forms; to provide that the candidacy form include information concerning the disposition of a felony conviction; to require certain certifications; to provide for actions objecting to candidacy under certain circumstances; to provide for criminal penalties; and to provide for related matters.

SENATE BILL NO. 8— BY SENATOR GAUTREAUX

AN ACT

To enact R.S. 13:2150, relative to the city court of Morgan City; to provide for costs in criminal matters; to provide for creation of a court cost fund for juvenile offender services; to provide for disposition and use of fines assessed in criminal matters in the Morgan City Court; to provide for approval of the additional fines by the city council of Morgan City; and to provide for related matters.

SENATE BILL NO. 9— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:1421(C), relative to participation by sheriffs in a deferred compensation plan; to authorize participation by sheriffs in the matched portion of an eligible deferred compensation program established pursuant to Section 457 of Title 26 of the Internal Revenue Code; and to provide for related matters.

SENATE BILL NO. 53— BY SENATOR FIELDS AND REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 32:866(A)(3), relative to compulsory motor vehicle liability; to provide an exception to the limitation of recoverable damages; and to provide for related matters.

SENATE BILL NO. 71— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:666(A), relative to the offense of driving while intoxicated; to provide for penalties for such offense in the case of a fatal crash or a crash resulting in serious injury which involves alcohol; to require that such penalties be the same as those imposed for a first offense violation of driving while intoxicated; and to provide for related matters.

SENATE BILL NO. 106— BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421, relative to deceptive and unfair trade practices; to provide that a retail business may not require certain personal information for certain transactions; and to provide for related matters.

SENATE BILL NO. 143— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 14:98(B)(2), (C)(2) and (K), R.S. 15:306(A) and R.S. 32:378.2(A)(2)(a)(i) and 667(B)(1) and (3) and to enact R.S. 32:414(A)(1)(c), relative to driving while intoxicated; to provide relative to penalties for first or second offense driving while intoxicated under certain circumstances; to increase the time for suspension of driver's licenses for such offenses; to authorize a restricted license under certain conditions; to require the installation of an ignition interlock device for such authorization; to require installation of an ignition interlock device during certain periods of suspension; and to provide for related matters.

SENATE BILL NO. 190— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:701(28), 723(A)(1), 728(A)(introductory paragraph) and (B)(1)(a)(ii), and 783(D)(1)(a), relative to the Teachers' Retirement System of Louisiana; to provide with respect to monthly retirement benefits paid in advance; to provide with respect to selection of option for method of payment after death of member; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 203— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1931 and to repeal R.S. 11:1930, 1930.1, 1930.2, and 1930.3, relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to limitations on benefits payable to highly compensated employees; to provide with respect to compliance with Internal Revenue Code provisions; to repeal authority for early payment of benefits; to repeal provisions relating to limitations on compensation; to repeal provisions relating to transfer of benefits; to repeal authority for computation of retirement benefits; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 283— BY SENATORS BOISSIERE AND HOLDEN

AN ACT

To enact R.S. 11:1313(B)(3), relative to the State Police Pension and Retirement System; to authorize an increase in disability benefits for certain catastrophic injuries sustained in the performance of official duties; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 351— BY SENATORS HOLDEN AND THOMAS

AN ACT

To amend and reenact R.S. 33:1236(32), relative to the powers of parish governing authorities; to authorize the governing authority of St. Helena, St. Tammany, and Washington parishes to operate, regulate, or subsidize ambulance services; and to provide for related matters.

SENATE BILL NO. 362—
BY SENATOR THEUNISSEN**AN ACT**

To amend and reenact R.S. 44:4.1(B)(8) and to enact R.S. 17:3135, relative to student education records; to provide for the access of parents to the education records of their dependent child in accordance with the federal Family Educational Rights and Privacy Act; to require the postsecondary education management boards to submit institutional policies to the Board of Regents; to authorize institutions to charge a fee for copying or mailing such records; to require compliance with federal law; to exempt such student education records from the public records law; and to provide for related matters.

SENATE BILL NO. 363—
BY SENATOR THEUNISSEN**AN ACT**

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:135 through 135.2, relative to publicly owned cemeteries; to create the Sweet Lake - Grand Lake Community Cemetery District in Cameron Parish; to provide for the district's boundaries, purpose, powers and duties; to provide for a board of commissioners of the district; and to provide for related matters.

SENATE BILL NO. 693—
BY SENATOR ULLO**AN ACT**

To enact R.S. 33:4735, relative to municipalities and parishes; to provide that local governing authorities of parishes with a population of four hundred fifty thousand to four hundred sixty thousand notify area legislators prior to hearings regarding a facility that stores hazardous material; and to provide for related matters.

SENATE BILL NO. 767—
BY SENATOR CHAISSON**AN ACT**

To amend and reenact R.S. 32:666(A) and to enact R.S. 14:98.2 and R.S. 32:661(C)(1)(f), relative to crime; to create the crime of refusal to submit to chemical test of blood content of alcohol, controlled dangerous substances or abused substances after arrest for an offense of driving while intoxicated after refusing to submit to such test on two separate and previous occasions with respect to any previous such violation; to require informing such arrested persons of the penalty for not submitting to the test; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 771—
BY SENATOR FIELDS AND REPRESENTATIVE MURRAY**AN ACT**

To amend and reenact R.S. 23:1127(C)(2), relative to workers' compensation; to provide with respect to medical examinations; to require any party scheduling a conference to bear the responsibility of paying any fees charged; and to provide for related matters.

SENATE BILL NO. 799—

BY SENATORS BAJOE, HINES AND SCHEDLER AND REPRESENTATIVES GLOVER, HONEY, LUCAS, PEYCHAUD AND RICHMOND

AN ACT

To amend and reenact R.S. 46:2116.2(C)(1) and to enact R.S. 46:2116.2(C)(4), relative to the Personal Care Assistance Services Program; to provide for choice of vendor; and to provide for related matters.

SENATE BILL NO. 818—

BY SENATOR B. JONES (Recommendation of the La State Law Institute)

AN ACT

To amend and reenact Code of Civil Procedure Arts. 42(5), 561(A), 932, 933, 934, 967, 1201(A), 1424, 1425, 1436.1, 1914, and 3295, and Children's Code Art.332, relative to the continuous

revision of the Code of Civil Procedure; to provide venue for actions against certain foreign corporations, limited liability companies, and non-residents; to provide for abandonment of actions; to provide for the effect of sustaining declinatory, dilatory, and peremptory exceptions; to provide for citation and service; to provide for interlocutory judgments, notice and delay; to provide for giving in payment; to provide for experts, discovery and depositions; to provide for affidavits of experts in summary judgments; to remove restrictions on discovery of testifying expert witnesses; to allow a court to order a deposition by phone over objection of one or more parties; to provide deposition procedure; to provide for notice of judgment in the Children's Code and reference therein to the Code of Civil Procedure; and to provide for related matters.

SENATE BILL NO. 826—

BY SENATOR C. JONES AND REPRESENTATIVE HUNTER

AN ACT

To enact Subpart D-1 of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4770.1 through 4770.16, relative to the removal of dilapidated structures and noxious matters within the city of Monroe; to provide definitions; to provide for notification; to provide for the reporting of such structures; to provide for the liability of city council members and others; and to provide for related matters.

SENATE BILL NO. 855—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:315(C)(4)(a) and to enact R.S. 9:315(C)(4)(d)(iv), relative to the determination of child support; to provide for a gift to be included when determining gross income for the purposes of child support; to provide exceptions; and to provide for related matters.

SENATE BILL NO. 860—

BY SENATORS DARDENNE AND SCHEDLER

AN ACT

To amend and reenact Civil Code Art. 1499, relative to the usufruct of a surviving spouse; to provide that security shall not be required in certain cases; to provide for exceptions; and to provide for related matters.

SENATE BILL NO. 876—

BY SENATORS MOUNT AND BAJOE

AN ACT

To amend and reenact R.S. 40:1300.52(C), relative to criminal history records; to provide relative to checks of such records for employment purposes; to authorize temporary employment of certain personnel only under certain circumstances prior to completion of such check; and to provide for related matters.

SENATE BILL NO. 888—

BY SENATORS DARDENNE, HOLLIS AND JOHNSON AND REPRESENTATIVE PINAC

AN ACT

To enact Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3025 through 3030, relative to economic development; to create the "Louisiana Major Projects Development Authority"; to provide for the composition of the board of directors of the authority; to provide for powers and duties of the authority; and to provide for related matters.

SENATE BILL NO. 895—

BY SENATOR HOLLIS AND REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:924(A), relative to economic development; to provide for membership of the State Board of Commerce and Industry; to provide for terms of office; and to provide for related matters.

SENATE BILL NO. 896—

BY SENATORS HOLLIS AND IRONS AND REPRESENTATIVES PINAC AND SCALISE

AN ACT

To amend and reenact R.S. 36:107(A), 109(J), and 913(B), R.S. 43:111(A)(7), R.S. 47:1125(C) and 6007(B)(5), (D)(1) and (3), and (E), and R.S. 51:938.1(A), (H)(introductory paragraph) and (1), (I), (J)(introductory paragraph), (1), (2), (3)(introductory paragraph), (c), and (d), (6), (7), and (8), and (K), to enact R.S. 51:938.1(H)(3) and (J)(3)(e), and to repeal R.S. 36:108(B)(20) and R.S. 51:938.1(B) through (G), relative to economic development; to provide relative to the Department of Economic Development; to provide for assistant secretaries and duties of offices; to provide for the transfer of certain entities; to provide for advertising; to provide relative to tax relief for motion picture production companies; to provide relative to tax credits for investments in certain productions; to create the governor's office of film and television development; to provide for the office's duties, staff, and authority; and to provide for related matters.

SENATE BILL NO. 923—

BY SENATOR HOYT AND REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact Civil Code Arts. 2036 and 2037 and to enact Chapter 7 of Code Title IV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2790.1 through 2790.12, all relative to obligations; to provide for the Uniform Fraudulent Transfer Act; to provide for definitions; to provide that certain transfers are fraudulent; to provide for remedies of creditors; to provide for defenses, liability and protection of a transferee; to provide for extinguishment of a cause of action; and to provide for related matters.

SENATE BILL NO. 967—

BY SENATOR JOHNSON AND REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:943, to enact R.S. 36:4.1(D)(17), and to repeal R.S. 36:109(D)(2), relative to the Small and Emerging Business Development Advisory Council; to change the name to the Small Business Entrepreneurship Commission; to provide for additional members of the commission; to provide for revised and additional functions of the commission; and to provide for related matters.

SENATE BILL NO. 1020—

BY SENATOR ULLO

AN ACT

To enact R.S. 33:423.13, relative to powers and duties of the chief of police in the town of Grand Isle; to authorize the chief of police in the town of Grand Isle to hire and fire his personnel; and to provide for related matters.

SENATE BILL NO. 1025—

BY SENATOR DARDENNE AND REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:99.12(A), relative to the sale of tobacco assets; to provide for the sale of certain assets; and to provide for related matters.

SENATE BILL NO. 1050—

BY SENATOR ADLEY

AN ACT

To enact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to membership; to provide that retired persons over the age of sixty-five shall not be required to participate in the retirement system; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 1057—

BY SENATOR LENTINI

AN ACT

To enact R.S. 15:262, relative to compulsory process; to provide relative to certain witnesses; to authorize certain law enforcement agencies to provide for the security of such witnesses; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 1072—

BY SENATOR BAJOE AND REPRESENTATIVE PEYCHAUD

AN ACT

To amend and reenact R.S. 46:2682(5) and to enact R.S. 46:2682(8), relative to community care services; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 1088—

BY SENATOR MCPHERSON AND REPRESENTATIVE PEYCHAUD

AN ACT

To enact R.S. 28:826(B)(2)(s) through (bb) and (E)(4), relative to the disability services planning group; to provide for additional members of the consumer task force; to provide relative to approval of expenditures; and to provide for related matters.

SENATE BILL NO. 1095—

BY SENATOR JOHNSON AND REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 48:57 and Part VI-D of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:109.1, relative to roads and highways; to authorize appointment of certain traffic control officers; to provide for the powers and duties of such officers; to create the Eastern New Orleans Interstate Oversight Commission; to provide for appointment of members, terms, and duties; and to provide for related matters.

SENATE BILL NO. 1097—

BY SENATOR DARDENNE AND REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:721.1(B) and to enact R.S. 11:701(33)(a)(xi), relative to the Teachers' Retirement System of Louisiana; to provide with respect to option to participate in the system; to provide with respect to the definition of "Teacher"; to include the director and staff of the Louisiana Resource Center for Educators within the definition of teacher; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 1109—

BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:3843, relative to the New Orleans Employees' Retirement System; to repeal the provision which excludes simultaneous membership in more than one public retirement system; to provide for an effective date; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 17, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 242—

BY REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mr. Charles Joseph "C. J." Watson.

HOUSE CONCURRENT RESOLUTION NO. 245—

BY REPRESENTATIVES BRUNEAU, SCALISE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To commend Dr. Gregory M. St. L. O'Brien as he leaves his position as chancellor of the University of New Orleans, to recognize his myriad accomplishments and his remarkable contributions to the university, the city, and the state, and to extend to him the best wishes of the legislature as he embarks upon new challenges and endeavors.

HOUSE CONCURRENT RESOLUTION NO. 247—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To urge and request the public postsecondary education management boards to use the authority granted each of them by R.S. 17:3351(A)(5)(b)(i) and establish, by not later than the Fall semester of the 2004-2005 academic year, tuition and mandatory attendance fee amounts applicable to nonresident students at institutions under their respective supervision and management that at least equal the average amount of annual tuition and mandatory attendance fees for the ensuing fiscal year applicable to nonresident students, at institutions in states comprising the Southern Regional Education Board, excluding Louisiana, which are in the same category as established by the Southern Regional Education Board.

HOUSE CONCURRENT RESOLUTION NO. 249—

BY REPRESENTATIVE GALLOT AND SENATOR BARHAM

A CONCURRENT RESOLUTION

To commend Albert and Geraldine Hillman of Homer upon the celebration of their sixtieth wedding anniversary.

HOUSE CONCURRENT RESOLUTION NO. 250—

BY REPRESENTATIVES MCVEA AND KENNARD

A CONCURRENT RESOLUTION

To commend Cathy Flowers Raziano upon her selection as Louisiana High School Teacher of the Year for 2003, her selection as Louisiana Outstanding Biology Teacher by the National Association of Biology Teachers, and her dedicated service to the students of East Baton Rouge Parish for thirty-three years.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 17, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 243—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Children's Code Articles 424.1(A) and (D), 1015(7), 1101, and 1193(introductory paragraph); to enact Chapter 13 of Title XI of the Children's Code, to be comprised of Articles 1149 through 1160; and to repeal Children's Code Articles 1701 through 1706, relative to safe haven relinquishments of infants; to provide for CASA appointments; to provide that CASA volunteers shall submit to a criminal history records check; to provide for defenses to prosecution; to provide for emergency care facility responsibilities; to provide for medical evaluations of the infant; to provide for hearings for parents to reclaim parental rights; to provide procedures when a non-relinquishing parent cannot be identified; to provide procedural safeguards; and to provide for related matters.

HOUSE BILL NO. 301—

BY REPRESENTATIVE MURRAY

AN ACT

To repeal R.S. 23:1225(C)(1)(b), relative to workers' compensation; to repeal the provision allowing the reduction of benefits for receipt of old-age benefits received under the Social Security Act.

HOUSE BILL NO. 440—

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 22:1405(I)(3), relative to the Property Insurance Association of Louisiana; to provide for records; to provide for public protection classifications; to provide for certain local officials; and to provide for related matters.

HOUSE BILL NO. 483—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3550(B)(3), (E)(1) and (2), and (F) and to repeal R.S. 9:3530(A)(4), relative to insurance premium finance companies; to provide for an origination fee; and to provide for related matters.

HOUSE BILL NO. 517—

BY REPRESENTATIVES JOHNS, BALDONE, BROOME, BRUCE, DOERGE, FRITH, M. JACKSON, AND PINAC

AN ACT

To amend and reenact R.S. 6:333(F)(14) and R.S. 46:236.1(D)(1)(d)(ii) and (v), relative to the financial institution data match system; to require financial institutions to report the average daily account balance on all accounts for noncustodial parents who owe past-due support; and to provide for related matters.

HOUSE BILL NO. 603—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 37:2150.1(4), (6), and (11) and to enact R.S. 37:2157(A)(9), relative to contractors; to provide for definitions; to provide for an exemption for certain persons; and to provide for related matters.

HOUSE BILL NO. 685—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3550(D)(2), (E)(1) and (3), (G)(1), (2), (3)(a)(introductory paragraph), (iii) and (iv), (b), and (c), and (4), and (H) and to enact R.S. 9:3550(D)(1)(d), relative to premium finance companies; to provide for electronic notification; to provide for cancellation of insurance policies; and to provide for related matters.

HOUSE BILL NO. 686—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:966(A), relative to motor vehicles sales finance; to provide for seizure and disposition of collateral; to provide for the confession of judgment; and to provide for related matters.

HOUSE BILL NO. 687—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1260, relative to motor vehicle damage disclosure; to broaden the application of the motor vehicle damage disclosure provisions; and to provide for related matters.

HOUSE BILL NO. 719—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 33:4712.8, relative to property owned by the town of Vinton; to provide relative to the disposition of such property; to provide relative to notices and procedures for such dispositions; to provide relative to the contesting of such dispositions; and to provide for related matters.

HOUSE BILL NO. 846—

BY REPRESENTATIVES SALTER AND NEVERS

AN ACT

To amend and reenact R.S. 17:46(A)(1) and 1171(A), relative to eligibility for sabbatical leave for certain teachers; to remove the requirement that a teacher shall be eligible for a medical leave sabbatical if the teacher's regular sick leave balance is twenty-five days or less; and to provide for related matters.

HOUSE BILL NO. 961—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 33:383(A)(1) and to enact R.S. 33:383.2, relative to municipal elections; to authorize the governing authority in certain municipalities to hold municipal elections at the same time as the gubernatorial election; and to provide for related matters.

HOUSE BILL NO. 991—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 56:428.3, relative to oyster leases; to authorize future renewal of leases which were not renewed due to temporary impacts of coastal restoration projects; and to provide for related matters.

HOUSE BILL NO. 1031—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 23:631(A)(1), relative to the payment of employees; to provide for the payment of employees' wages upon separation from employment; and to provide for related matters.

HOUSE BILL NO. 1049—

BY REPRESENTATIVE WELCH

AN ACT

To repeal R.S. 37:2810(C)(3), relative to the licensing of chiropractors; to repeal the time limitations placed on an inactive license status.

HOUSE BILL NO. 1097—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 23:1131(B)(1) and (2) and 1208(G), relative to workers' compensation; to provide for the release of earnings records; to provide for consent of the release of records; to provide for confidentiality of such records; and to provide for related matters.

HOUSE BILL NO. 1118—

BY REPRESENTATIVES TOOMY AND BRUCE

AN ACT

To enact R.S. 15:85.1, relative to original bonds; to provide for a fee to be assessed in connection with every criminal bond posted; to provide for the collection of the fees; to provide for the distribution of the fee proceeds; to provide for the creation of a crime lab committee in each parish and to provide for its membership and duties; to provide for criteria in determining which persons may petition the court for a waiver or refund of the fees; and to provide for related matters.

HOUSE BILL NO. 1120—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 8:70 and 73(B), relative to cemeteries; to increase the fee for new or renewal certificates of authority to operate a cemetery; to increase annual regulatory fees; and to provide for related matters.

HOUSE BILL NO. 1528—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(26) and (27), relative to responsive verdicts; to provide for responsive verdicts for theft and attempted theft; and to provide for related matters.

HOUSE BILL NO. 1614—

BY REPRESENTATIVES TUCKER AND ARNOLD

AN ACT

To amend and reenact R.S. 14:71.2, R.S. 16:15.1, R.S. 47:820.5.1 and 820.5.2, and R.S. 48:1101.1(B)(2)(b) and to enact R.S. 47:820.5.3, relative to toll collections on the Crescent City Connection and the Greater New Orleans Expressway; to provide for police powers of the Crescent City Connection Division and of the Greater New Orleans Expressway Commission; to provide for jurisdiction of the Crescent City Connection police; to facilitate collection of tolls by video or photo-monitoring systems; to provide penalties; to provide for the crime of failure to pay bridge or causeway tolls; and to provide for related matters.

HOUSE BILL NO. 1669 (Duplicate of Senate Bill No. 779)—

BY REPRESENTATIVE THOMPSON AND SENATOR SMITH AND COAUTHORED BY REPRESENTATIVES R. CARTER, BAUDOIN, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part VI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:551.1 through 551.12, relative to the production and sale of eggs in Louisiana; to provide relative to the composition of the Louisiana Egg Commission; to provide relative to the authority of the commission and the authority of the commissioner of agriculture and forestry to regulate the egg business; to provide relative to research on and marketing of eggs; to provide for fees and assessments; to provide relative to certain violations and penalties therefor; and to provide for related matters.

HOUSE BILL NO. 1672—

BY REPRESENTATIVES BROOME, WELCH, LUCAS, AND MURRAY AND
SENATOR FIELDS

AN ACT

To enact R.S. 1:58.2, relative to special days; to recognize and designate the third Saturday in June as "Juneteenth Day"; to provide that this date shall be observed by the state; and to provide for related matters.

HOUSE BILL NO. 1849—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 4:714(B) and to enact R.S. 4:725.1, relative to charitable gaming; to authorize the conducting of progressive pull-tabs; to create an exception to the total amount of prizes which can be awarded in any one charitable gaming session; and to provide for related matters.

HOUSE BILL NO. 1869—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 45:1163.1(A)(4), relative to common carrier or public utility rate increases; to provide that the filing of a proposed schedule shall only apply with respect to increases of rates of services which are deemed noncompetitive; and to provide for related matters.

HOUSE BILL NO. 1886—

BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 33:9038.10, relative to economic development districts; to provide for the annual baseline collection rate for tax increments within certain districts; and to provide for related matters.

HOUSE BILL NO. 1968—

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2002-2003 Fiscal Year; and to provide for related matters.

HOUSE BILL NO. 38—

BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE

AN ACT

To enact R.S. 33:447.6, relative to the mayor's court of the town of Lusher; to authorize an increase in court costs for violations of municipal ordinances; to require the local governing authority to authorize the increase in court costs by adoption of an ordinance; and to provide for related matters.

HOUSE BILL NO. 39—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 33:447.6, relative to the mayor's court of the town of Gramercy; to authorize an increase in court costs for violations of municipal ordinances; to require the local governing authority to authorize the increase in court costs by adoption of an ordinance; and to provide for related matters.

HOUSE BILL NO. 173—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 45:844.12(4)(g), relative to telephonic solicitations; to provide for definitions; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 178—

BY REPRESENTATIVE BALDONE AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(K), relative to group insurance premiums; to provide for the payment of insurance premiums for retired sheriffs and deputy sheriffs in Terrebonne Parish; and to provide for related matters.

HOUSE BILL NO. 231—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 49:170.8, relative to state symbols; to provide that the Natchitoches Meat Pie is the official state meat pie of Louisiana; and to provide for related matters.

HOUSE BILL NO. 234—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 14:95(H), relative to illegal carrying of weapons; to include coroners in the list of officials who may carry a concealed handgun when certified by the Council on Peace Officer Standards and Training; and to provide for related matters.

HOUSE BILL NO. 247—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2223(E), relative to the Municipal Police Employees' Retirement System; to provide with respect to disabilities received in the performance of official duties; to include blindness and loss of the total use of a limb as service-related disabilities for which a benefit equal to a member's final average compensation is payable; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 251—

BY REPRESENTATIVES GUILLORY, BALDONE, AND KATZ AND
SENATOR FIELDS

AN ACT

To amend and reenact R.S. 32:863(A)(3)(a), relative to license plates; to provide for a maximum reinstatement fee for certain persons; and to provide for related matters.

HOUSE BILL NO. 264—

BY REPRESENTATIVES BALDONE AND DOWNER

AN ACT

To enact R.S. 13:1904(C), (D), and (E), relative to the destruction of certain records in the City Court of Houma; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destructions of records; to provide for requirements prior to destruction; and to provide for related matters.

HOUSE BILL NO. 303—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 9:315.20(Obligation Worksheet B), relative to the shared custodial worksheet; to clarify language used in calculating payments to third parties; and to provide for related matters.

HOUSE BILL NO. 323—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 46:236.8(G)(2), relative to medical support orders; to provide for enrollment in a health plan or program; and to provide for related matters.

HOUSE BILL NO. 340—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 13:3204(A) and 3205, relative to personal jurisdiction over nonresidents; to provide for service of process in divorce proceedings; to provide for service of process in summary proceedings; to provide for the rendering of judgments; and to provide for related matters.

HOUSE BILL NO. 353—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 11:103(D), relative to the Firefighters' Retirement System of Louisiana; to provide for the determination of the employer contribution rate; to provide with respect to valuation of certain outstanding amortization bases; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 354—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), (d), (e), and (f) and (6) and to enact R.S. 11:2260(A)(2)(g), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 365—

BY REPRESENTATIVE GARY SMITH

AN ACT

To enact R.S. 9:315.36, relative to the suspension of licenses for the nonpayment of support; to provide for the judicial suspension of licenses; and to provide for related matters.

HOUSE BILL NO. 406—

BY REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact R.S. 40:2018.1(A), (B)(1)(introductory paragraph) and (a) and (b), (E), and (F), relative to the Louisiana Commission on HIV and AIDS; to change the name of the commission to the Louisiana Commission on HIV, AIDS and Hepatitis C; to add hepatitis C to the responsibilities of the commission; to provide for membership on the commission; and to provide for related matters.

HOUSE BILL NO. 411—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 11:1541, relative to the Clerks of Court Retirement and Relief Fund; to provide with respect to the membership of the board of trustees; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 412—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 11:1549(A), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 420—

BY REPRESENTATIVES MURRAY AND HEATON

AN ACT

To enact R.S. 13:1222, relative to the clerk of the Orleans Parish Civil District Court; to authorize the clerk to purchase or lease two motor vehicles for the use of the office for certain purposes and to pay the premiums on the insurance for those motor vehicles; and to provide for related matters.

HOUSE BILL NO. 482—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 46:236.1(B)(4), relative to family and child support programs; to authorize the implementation of an access and visitation program; to provide for certain activities; and to provide for related matters.

HOUSE BILL NO. 565—

BY REPRESENTATIVES CRANE AND THOMPSON AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 11:162(C), relative to the Teachers' Retirement System of Louisiana; to provide for membership therein; to provide for classes of employees not eligible for membership; to provide for the promulgation of rules; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 717—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 33:4768(A)(1), relative to condemned structures; to provide that the city of Lake Charles, as an alternative to demolition or removal, may make repairs necessary to correct defects in condemned structures within its jurisdiction; and to provide for related matters.

HOUSE BILL NO. 737—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 35:1.1(A), 191(C)(3), and 391(6), relative to notaries; to provide for an increase in the amount of the required bond for non-attorney and ex officio notaries; and to provide for related matters.

HOUSE BILL NO. 758—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 11:1152(L), relative to the Louisiana School Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to prohibit reenrollment in the system under certain conditions; and to provide for related matters.

HOUSE BILL NO. 766—

BY REPRESENTATIVES PITRE, JOHNS, WALSWORTH, AND SCALISE

AN ACT

To amend and reenact R.S. 49:214.5, relative to coastal restoration; to provide that state and political subdivisions shall be held harmless; to provide for applicability to certain claims; and to provide for related matters.

HOUSE BILL NO. 789—

BY REPRESENTATIVE DANIEL

AN ACT

To enact Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3025 through 3027, relative to energy; to enact the Louisiana Renewable Energy Development Act; to authorize the use of net energy metering in Louisiana; to require the Public Service Commission to set certain rates, terms, and contents of net energy metering contracts; to provide for definitions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 814—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 40:1058.1.1, relative to substance abuse and addiction treatment; to provide for substance abuse and addiction treatment facilities; to require the Department of Health and Hospitals to promulgate rules and standards for licensing or certification of such facilities; and to provide for related matters.

HOUSE BILL NO. 885—

BY REPRESENTATIVES BRUNEAU, LANCASTER, JOHN SMITH, AND MONTGOMERY

AN ACT

To amend and reenact R.S. 18:55(A)(2) and (4)(a) and 59(B)(2) and (4)(a) and (C)(2) and (4)(a), relative to registrars of voters; to provide for a salary increase for registrars of voters, chief deputy registrars, and confidential assistants to registrars of voters; and to provide for related matters.

HOUSE BILL NO. 906—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1641(B) and (C) and 1642(A)(introductory paragraph) and (3), relative to the Louisiana District Attorneys' Retirement System; to provide relative to Deferred Retirement Option Plan subaccounts; to provide for the investment of funds in such subaccounts after a member ceases participation in the plan and the crediting of interest to such subaccounts; and to provide for related matters.

HOUSE BILL NO. 911—

BY REPRESENTATIVES SCHNEIDER AND MCVEA
AN ACT

To amend and reenact R.S. 11:1516, relative to the Clerks of Court Retirement and Relief Fund; to provide with respect to the repayment of withdrawn accumulated employee contributions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 915—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:822(E), relative to the Teachers' Retirement System of Louisiana; to provide with respect to election procedures for members of the board of trustees; to provide for dissemination of election information to system members; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 916—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:779(B), relative to the Teachers' Retirement System of Louisiana; to provide with respect to deceased disability retirees; to provide for benefits for surviving minor children; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 985—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 33:2711.19, relative to municipal sales and use taxes; to authorize the governing authority of the city of Bastrop to levy and collect an additional sales and use tax; to authorize a sales tax district; to provide for voter approval; and to provide for related matters.

HOUSE BILL NO. 1074—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:346, relative to duties and functions of certain employees of the Department of Transportation and Development; to authorize the assistant secretary of the office of

operations or the chief engineer to close any section of a highway under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1271—

BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a)(introductory paragraph) and to enact R.S. 33:2495(B)(3), relative to fire and police civil service; to provide relative to formal training required of each person selected for appointment to the entry level position of Fire Communications Officer (I) in the city of Shreveport; to provide for commencement of the working test period after successful completion of formal training; and to provide for related matters.

HOUSE BILL NO. 1294—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:1310.5(B), relative to disputed workers' compensation claims; to provide for appellate procedures of disputed claims; to permit the appeals to be taken within certain time periods; and to provide for related matters.

HOUSE BILL NO. 1312—

BY REPRESENTATIVES GLOVER, BAYLOR, JANE SMITH, BRUCE, AND L. JACKSON

AN ACT

To enact R.S. 33:1976, relative to naming certain fire department facilities; to authorize the municipal governing authority in certain municipalities to name the central fire station and related facilities in honor of a former fire chief; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 1323—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:706 and 707, relative to fees paid for the hazardous liquid pipeline program; to provide relative to the collection and amounts of such fees; and to provide for related matters.

HOUSE BILL NO. 1339—

BY REPRESENTATIVE GLOVER AND SENATORS MALONE AND ROMERO

AN ACT

To rename a portion of Louisiana Highway 3132 between Interstate 20 and Interstate 49, located in Caddo Parish, the Terry Bradshaw Passway; and to provide for related matters.

HOUSE BILL NO. 1452—

BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 33:221.3, relative to municipal annexations; to provide relative to annexation of territory included within fire protection districts in Caddo Parish; to provide relative to the procedures governing such annexations; and to provide for related matters.

HOUSE BILL NO. 1494—

BY REPRESENTATIVE TUCKER
AN ACT

To enact Part VI-A of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1742, relative to direct billing of anatomical pathology services; to provide for rules and regulations relative to billing for such services; to provide for penalties for violations; and to provide for related matters.

HOUSE BILL NO. 1541—

BY REPRESENTATIVE STRAIN
AN ACT

To enact R.S. 23:1871(Q), relative to educational, licensing, and employment data and reports; to provide for data sharing among certain state agencies, education programs, and licensing boards for the purposes of health occupational forecasting and reporting; and to provide for related matters.

HOUSE BILL NO. 1587—BY REPRESENTATIVES WALSWORTH AND THOMPSON AND
SENATOR ELLINGTON

AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the West Ouachita Reservoir Commission as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; to prohibit certain actions and to provide for penalties for certain actions; to provide relative to the district's coordination of certain efforts with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

HOUSE BILL NO. 1613—BY REPRESENTATIVES WINSTON, R. CARTER, DOERGE, DURAND,
GLOVER, GUILLORY, ILES, L. JACKSON, M. JACKSON, KATZ,
MCDONALD, PERKINS, SCHWEGMANN, SHAW, STRAIN, WALKER,
AND WELCH

AN ACT

To enact R.S. 46:52.1, relative to public welfare and assistance; to establish the intent of the legislature in the delivery of social services through a "no wrong door" concept; to define "integrated case management" and "service integration"; to require the secretary of the Department of Social Services to develop an integrated case management model which includes multidisciplinary teams; to require the participation of multiple departments in the development of an integrated case management model; and to provide for related matters.

HOUSE BILL NO. 1642—

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 23:897(M), relative to employment; to provide that an employer may withhold employee's wages to cover cost of medical and drug testing under certain circumstances; to provide that the employee must sign a contract for such withholding; and to provide for related matters.

HOUSE BILL NO. 1686—BY REPRESENTATIVES DEWITT, CRANE, FUTRELL, KATZ, PITRE,
SHAW, TUCKER, DOWNER, AND MCDONALD AND SENATOR
SCHEDLER

AN ACT

To enact R.S. 17:416.1(D) and R.S. 32:407(E) and 431, relative to drivers' licenses and learners' licenses; to provide for issuance and immediate suspension of a license for one year to a student who is expelled or suspended from school for ten or more consecutive school days for committing certain infractions or who withdraws from school under certain circumstances; to require notification to the office of motor vehicles when a student is expelled or suspended from school or withdraws from school under certain circumstances; to provide for suspension of a driver's license; to require notification of such suspension; to allow reinstatement of driving privileges under certain circumstances; to provide for an appeal process; to provide for hardship; to prohibit an increase in insurance rates due to such license suspension; to provide for the promulgation of rules; and to provide for related matters.

HOUSE BILL NO. 1712—

BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 23:1031.1(E), relative to workers' compensation; to repeal provisions allowing notice to constitute a claim for disability; and to provide for related matters.

HOUSE BILL NO. 1756—BY REPRESENTATIVES PEYCHAUD, L. JACKSON, CURTIS, HONEY,
MURRAY, RICHMOND, JACK SMITH, SWILLING, WALKER, WELCH,
WINSTON, BROOME, K. CARTER, M. JACKSON, AND MORRELL AND
SENATORS IRONS, BAJOE, BOISSIERE, DUPRE, AND FONTENOT

AN ACT

To enact R.S. 40:600.6(A)(4)(b)(vi) and (25) and Chapter 3-B of Title 40 of the Louisiana Revised Statutes of 1950, to be

comprised of R.S. 40:600.26, and Subpart X of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.64, relative to the Louisiana Housing Finance Agency; to create the Louisiana Housing Trust Fund; to provide for use of the trust fund to assist low-income individuals and families by providing for development, rehabilitation, and preservation of affordable housing; to provide for deposit of certain monies into the trust fund; to provide for authority to administer the trust fund; to exempt the trust fund from the Administrative Procedure Act; to provide for a refund checkoff on individual state income tax returns for the trust fund; and to provide for related matters.

HOUSE BILL NO. 1898—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 23:1226(B)(3), relative to workers' compensation; to provide for the filing of claims involving vocational counselors; to provide for an employee's right of action; to provide for an expeditious procedure to compel an employee's cooperation; and to provide for related matters.

HOUSE BILL NO. 1928—BY REPRESENTATIVES DOWNER, NEVERS, AND SCHNEIDER AND
SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 48:229, relative to the state highway system; to provide relative to priority reports on construction projects; to provide relative to the factors the Department of Transportation and Development shall consider when deciding the order of priorities; to require the department to consider certain factors when determining the order of priority projects; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Lambert ½ Day

Adjournment

Senator Ellington moved that the Senate adjourn until Thursday, June 19, 2003, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, June 19, 2003.

MICHAEL S. BAER, III
Secretary of the SenateGAYE F. HAMILTON
Journal Clerk